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ABSTRACT

The Commission on Federal Paperwork was charged by Congress and the President with the task of making recommendations to eliminate needless paperwork while assuring that the federal government has the information necessary to meet the mandate of law and operate effectively. The 36 reports of the commission (summarized in the appendixes) examined 18 major program areas such as tax, occupational safety and health, education, health, and housing; 13 government processes, including rulemaking, information resources management, forms clearance, and the role of Congress; and the cost and other burdens of paperwork for five segments of the economy. Almost 50 percent of the 770 recommendations that were made are now being implemented by Congress and government agencies. The findings and recommendations of the committee are summarized in the report. (Author/MLF)

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Herbert Roback, Director of Studies
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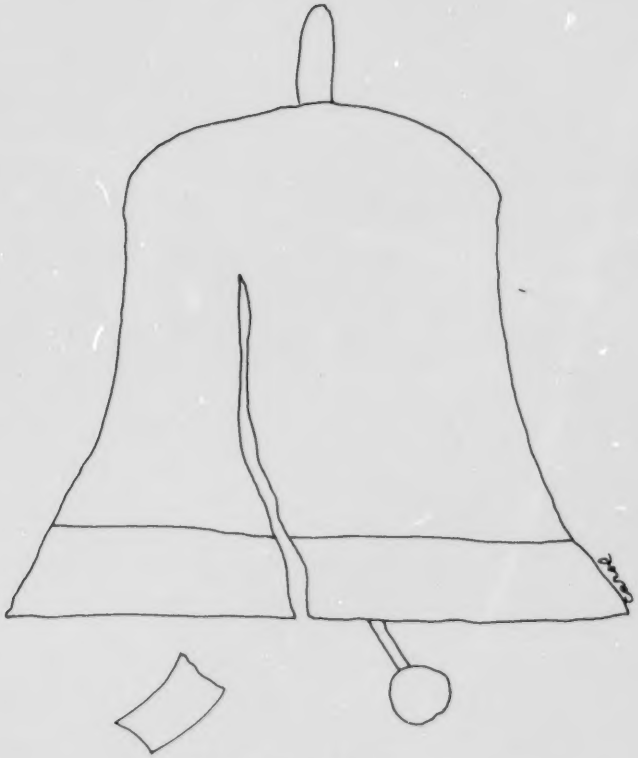

A Report of the Commission on Federal Paperwork

Final Summary Report

Washington, D.C. 20582

October 3, 1977

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Frank Horton, Chairman
Thomas J. McIntyre, Co-Chairman
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Warren Buhler, Director

The President
The White House
Washington, D. C. 20500

Dear Mr. President:

In behalf of the Commission on Federal Paperwork and pursuant to Public Law 93-556, I am pleased to submit the Commission's Final Summary Report. This, together with 36 separate reports already issued, completes the work of the Commission.

The Commission on Federal Paperwork has made over 770 recommendations which, taken together, are a blueprint for actions which the Commission feels are necessary to enable the Federal Government to serve the American people more efficiently and effectively by eliminating unnecessary paperwork.

You and your Administration have already taken great leadership strides in the battle against strangulation of our society by paperwork, red tape, and regulation. Already almost half the recommendations of our Commission have been written into law or adopted by the Executive branch. A large number of these have been adopted and implemented as a direct result of your leadership and the priority you have placed on the paperwork reduction effort.

The theme we heard repeatedly throughout the country is that the vast majority of Americans want to obey the law. Most Americans want to cooperate and participate in furthering Federal programs and national goals. However, these people can be frustrated by a Government which, in their view, does not trust them.

Many people feel, and the Commission agrees, that a multi-billion dollar wall of paperwork has been erected between the Government and the people. Countless reporting and recordkeeping requirements and other heavy-handed investigation and monitoring schemes have been instituted based on what we view as a faulty premise that people will not obey laws and rules unless they are checked, monitored, and rechecked.

This situation and this assumption must be reversed if we are to restore efficiency within Government and confidence in Government by the people and if we are to realize the potential for cooperative attainment of our goals as a Nation. Many of the major conclusions and recommendations of the Commission on Federal Paperwork are aimed at this goal.

The Commission's Final Summary Report is intentionally brief so that it can be read personally by Federal policy makers and individual citizens alike. It presents the Commission's estimate of the magnitude of Government paperwork, its causes, and major recommendations for both immediate and long-range solutions.

In essence, we seek three things:

1. A substantial reorganization of Government administrative and management machinery which affects the Federal paperwork process;

2. A new philosophy of Service Management so that laws, rules and regulations are made in a context of true consultation and participation with the people; and

3. A continuation and expansion of effort to cut paperwork which has already been mounted by the Administration.

Again, I want to thank you for the leadership and cooperation which the Administration has shown in these efforts and specifically for the contributions which Commissioners representing the Administration have made to the Commission's work.

Respectfully submitted,

Frank Horton

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Chairman

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The President of the Senate
The Capitol
Washington, D. C. 20510

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The Congress has already taken great leadership strides in the battle against strangulation of our society by paperwork, red tape, and regulation. Already almost half the recommendations of our Commission have been written into law or adopted by the Executive branch. A large number of these have been adopted and implemented as a direct result of legislative or oversight hearings in the Congress. The recent change in the rules of the Senate, which the Commission recommended, will provide another weapon to fight paperwork.

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The Speaker of the House
of Representatives
The Capitol
Washington, D. C. 20515

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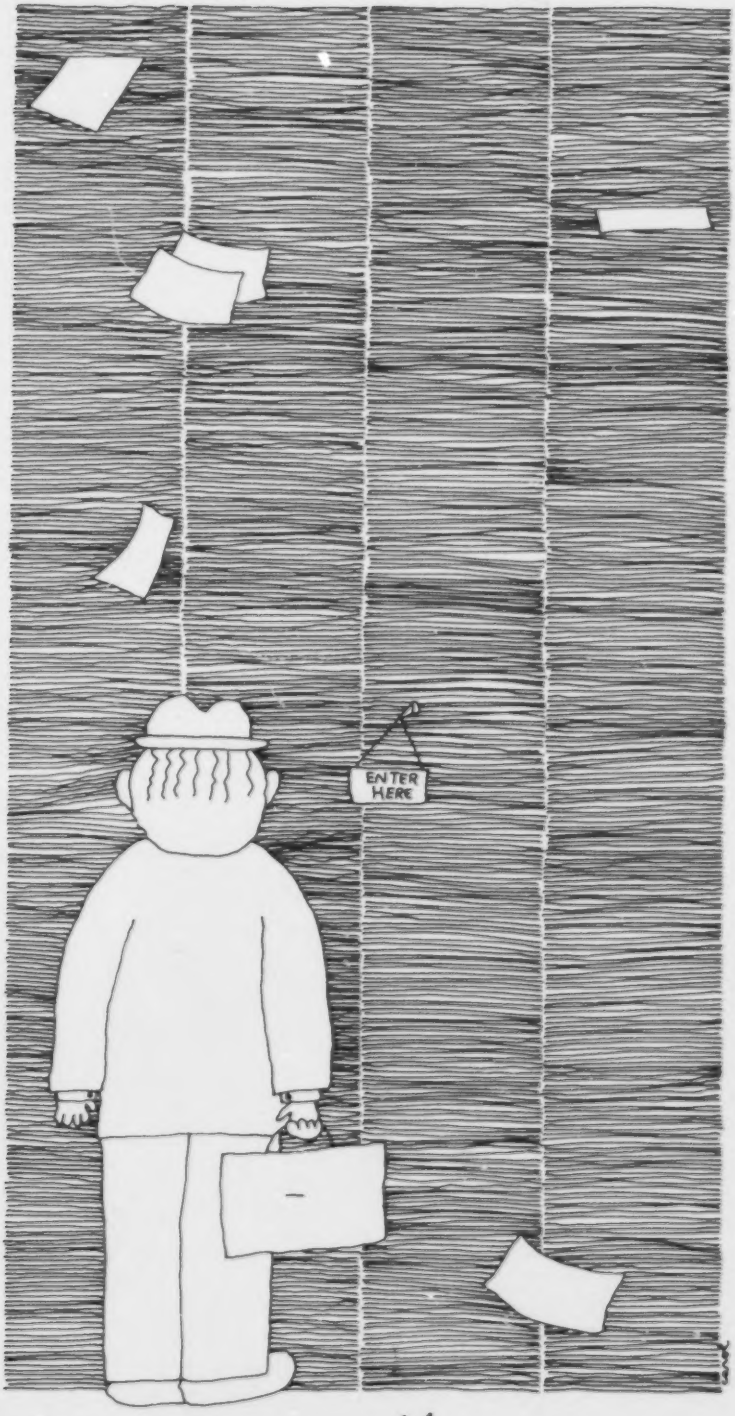
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Summary

This report is both an epilogue and a prologue. It is an epilogue for the Commission on Federal Paperwork — its mandate fulfilled and its tenure expired — and a prologue for the work yet to be done.

The Commission on Federal Paperwork was charged by Congress and the President with the task of making recommendations to eliminate needless paperwork while assuring that the Federal Government has the information necessary to meet the mandate of law and operate effectively.

In carrying out its work, the Commission investigated and reported separately on many Federal programs — such as welfare, housing, education, energy, occupational safety and health — as well as issues that cut across program and agency lines. We held public hearings throughout the country, set up an ombudsman group with a public "hot-line," and met with representatives from all sectors of society. This report summarizes our findings and recounts steps that must be taken if Government is to be effective and free of unnecessary paperwork.

The total cost of Federal paperwork is huge; dollars spent on paperwork are difficult to determine. We estimate they may exceed $100 billion a year, much of it necessary, some of it unnecessary. In any case, the cost is ultimately imposed on the consumer through higher prices and higher taxes. There are also psychological costs — the anxiety, frustration, and anger that people experience when dealing with excessive paperwork and red tape. The Commission also found that needed information sometimes is not being collected, is not reliable, or is not timely—all of which unnecessarily limits the success of Federal programs. In some instances, paperwork actually prevents programs from achieving their goals.

Excessive and unnecessary paperwork can be eliminated, thereby reducing costs or improving services. During its short tenure, the Commission has recommended opportunities for more than $10 billion in first-year paperwork savings, cost avoidances, or redirecting activities away from paperwork. As the Commission completes its work, almost 50 percent of its 770 recommendations (with a dollar value estimated at 3.5 billion) have been adopted by the Congress, the President, and the agencies, which must share this record of success.

Unnecessary paperwork is symptomatic of confusing organization, inadequate management, and poor information practices. These root causes of paperwork must be treated or new forms and problems will spring up again. Causes must be addressed by Congress when it drafts legislation and evaluates programs, and by agencies when they write regulations.

The flood of paperwork reflects our inability to manage effectively the newer programs of the Federal Government designed to serve or work with those outside the Federal Government. Most Federal programs today attempt to serve large numbers of people in a variety of ways, such as ensuring equal rights, providing decent housing and assuring safe and healthy working conditions. These Federal programs have great impacts on the work and lives of nearly every American. But today, many Government programs are operated without regard to the burdens and costs others must bear. The heavy hidden "taxes" of Federal paperwork and red tape which must be borne by the American people are ignored.

The Commission believes we need a new philosophy and new ways of managing Federal operations if they are to be efficient, effective, and free of unnecessary paperwork and the harassment it entails. We have distilled the lessons of our many studies, hearings, and recommendations on how best to eliminate unnecessary paperwork and formulated a set of principles, methods, and actions into a philosophy of government we call "Service Management."

The distinctive features of Service Management can be quickly stated. In terms of its origins, Service Management recognizes the changed and changing nature of government involvement in the day-to-day lives of citizens, organizations and institutions. The existing body of public administration theory and practice, emphasizing the values of economy and efficiency as they apply to the *internal* machinery of government, is incomplete.

Service Management is, first, a shift in perspective — one which compels public officials to examine critically the consequences of legislative and administrative decisions for those directly affected. Second, Service Management is the set of analytic tools and techniques needed for this critical examination. These tools and techniques assist public officials in identifying and assessing those elements of program design and administration which shape the distribution of rights, obligations, benefits and burdens for a program.

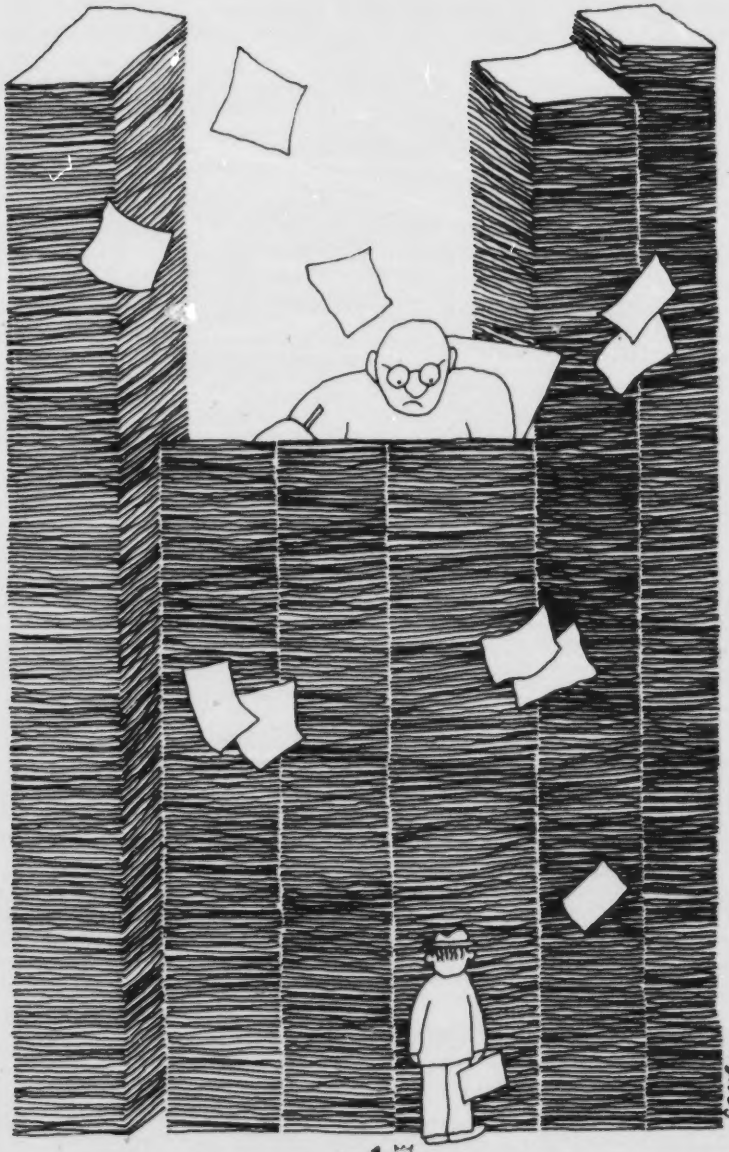
This shift in perspective, coupled with appropriate tools, brings into focus alternative ways of designing and operating Federal programs. It permits a thoughtful appraisal of these alternatives, and helps identify that option which simultaneously fulfills Federal objectives in the most efficient and effective way with burdens and advantages appropriately and equitably distributed.

A broad agenda for reform is needed to bring about Service Management. This agenda includes changes in the legislative and regulatory processes, how programs are designed and operated, and how Federal management activities are organized. It requires two new management disciplines — first, managing information as a resource, as we now manage money, personnel, and property as resources; and second, analyzing alternative ways of operating
2 programs to distribute appropriately the costs of the program

among the parties involved. Responsibilities and obligations must be newly assumed by the Congress, the President, the Federal bureaucracy, as well as the business community, labor organizations, State and local governments, non-profit institutions, and private citizens.

Fundamentally, Service Management requires attitudes and actions by people at all levels in and out of government to work in a partnership toward more effective programs free of unnecessary paperwork. A willingness to discuss and resolve problems in the operation of Federal programs can and must be based on a mutual sense of trust and respect. Most people wish to obey the law and help achieve our national goals; they are frustrated by the waste and ineffectiveness caused by unnecessary paperwork.

This report concludes by calling for three initiatives: (1) To provide the institutional capability to press the attack against excessive paperwork; (2) to urge actions each of us must take to implement Service Management; and (3) to continue and expand the fight already begun by the Administration and interested groups throughout the country. All of these actions are necessary to eliminate needless paperwork and red tape and to make the Federal Government an effective and efficient instrument in service to our people.



I.

The Paperwork Burden

The Commission found Federal paperwork to be of massive proportions, much of it necessary and important in achieving national goals. We include here our best estimates of the costs of paperwork and then describe the types of problems people have with paperwork, the causes of unnecessary paperwork, and why paperwork is out of control.

The Cost and Distribution of Paperwork

- The total costs of Federal paperwork are difficult to determine; but, as best we can estimate, more than $100 billion a year, or about $500 for each person in this country, is spent on Federal paperwork. Our estimates of costs to some of the major segments of society are:
  - — The Federal Government: $43 billion per year
  - — Private industry: $25 to 32 billion per year
  - — State and local government: $5 to 9 billion per year
  - — Individuals: $8.7 billion per year
  - — Farmers: $350 million per year
  - — Labor organizations: $75 million per year
- A substantial portion of this cost is unnecessary. The Commission's limited studies have identified opportunities for first year cost savings, avoidances, or redirections of effort away from paperwork valued at more than $10 billion.
- Federal paperwork hurts most those least able to fend for themselves: the poor and disabled, the small businessman, and small institutions in the health and education areas.
- The nature of burden varies by type of respondent. But the biggest distinctions are between the problems of individuals, small businessmen, and small institutions, and the problems of large organizations, whether they are State and local governments, businesses, or institutions.
- Some respondents face very special problems with red tape. For example, programs for the disabled should not require much travel in their application procedures; Government should limit questioning farmers during harvest season.

Three Types of Paperwork Burdens

- ***Economic*** burdens include, but go beyond, the dollar costs of filling out a report:
  - — Recordkeeping systems must be set up when the requested information is not available;

- — Outside professional, legal, and accounting help may be required to "decode" or interpret Federal requirements;
- — Multiple copies may be needed;
- — Costs of traveling to government offices to complete paperwork may be prohibitive for the poor and disabled;
- — Delays due to paperwork increase costs; and
- — Resources spent on paperwork are not available for other, more productive purposes.

- Examples of economic burden are:
  - — A school disregarded a $4,500 grant because it would have required $6,000 in paperwork.
  - — Fifteen employees lost their pension plan because the small company could not handle the paperwork.
- ***Psychological*** burdens may be more important than dollar costs to individuals who experience:
  - — Frustration when completing complex forms;
  - — Anger when faced with multiple requests for similar data;
  - — Confusion in reading unclear instructions;
  - — Anxiety that errors may result in denial of benefits or legal consequences; and
  - — Fear that confidential information may be abused.
- Examples of psychological burdens are:
  - — The frustration and anger of a family that must spend 35 hours filling out a student aid application.
  - — The confusion and anxiety of an individual filling out a complicated tax return.
- ***Cumulative*** burdens occur when the sum of requests becomes overwhelming. Some examples are:
  - — One company had to comply with Federal requests for 8,800 reports from 18 different agencies in one year.
  - — Some welfare and service programs require separate applications even when, by law, eligibility for one program confers eligibility for others.

Key Causes of Excess Paperwork

- We have identified seven key causes of paperwork which occur throughout the Government—in Congress, the executive branch and independent agencies.
- ***Lack of communication*** is the most frequent reason bad paperwork exists. Government often does not know what problems exist, and those outside often are unable to let Government know.

— When the Federal Power Commission (FPC), energy companies, consumer groups, and Paperwork Commission representatives sat down together, they were able to improve the information going to the FPC and avoid several hundred million dollars of costs annually which would have been passed on to consumers.

- ***Government officials are insensitive*** to the problems that paperwork causes others.
  - — "The forms have deadlines; the poor will always be there." (A quote from a welfare worker.)
  - — Government techniques to identify and estimate burdens deal with Government costs. Costs to others are estimated by the agencies, and differ widely from the estimates made by respondents.
  - — Techniques to estimate costs both in and out of Government are very crude.
- ***Government forms and instructions are often incomprehensible.***
  - — A college level reading ability is required to understand the instructions for the simplest income tax form — the Form 1040A
  - — The Commission has handled 3,500 questions from people baffled by the complexity of Government.
- ***Overlapping organizations*** cause duplicative paperwork.
  - — Six Federal energy agencies use almost 220 forms, yielding 3.5 million annual responses. These responses take an estimated 11 million person-hours to complete.
  - — Seventeen agencies write Equal Employment Opportunity regulations.
- ***Poor program design*** leads to unnecessary and excessive requirements.
  - — The Truckers Daily Log, required by the Department of Transportation to ensure that drivers do not drive more than 10 hours a day, results in 1.2 billion sheets of paper annually. Unfortunately, the log which a truck driver should fill out every 15 minutes of each day, whether driving or not, neither identifies possible violators nor helps in their prosecution.
  - — By raising from $250 to $500 the cut-off for the use of informal Customs procedures, savings of $6 million to Government and small importers could be achieved.
  - — A partial release of Federal funds would diminish the need for interim borrowing by municipal transit authorities now forced by rule to submit an audited report of the previous year before the next year's funds are released.

- ***Poor information practices*** have led to unnecessary burden.
  - — The Department of Health, Education, and Welfare at one time had a Student Loan Application, a Supplement to the Application, and an Addendum to the Supplement to the Application.
  - — The Occupational Safety and Health Administration and the Federal Trade Commission have found they could reduce substantially the number of people being asked questions, particularly reducing the burden for small business.
- ***Inconsistent and ineffective confidentiality policies*** create confusion and mistrust.
  - — The Bureau of the Mines is notifying companies that it can no longer keep confidential the information it collects from them, despite earlier pledges not to disclose individual company data.
  - — Definitions and standards as to what kinds of information constitute a "clearly unwarranted invasion of personal privacy" do not yet exist.

Why Is Paperwork Out of Control?

- New social goals, methods of management, and technologies have added to paperwork.
  - — Government is involved in everyone's life and work to a degree never before known because of our developing social goals in education, social security, welfare, health, and business regulation.
  - — Information is considered increasingly important to plan, manage, and evaluate programs.
  - — Technological developments encourage massive amounts of data to be collected, processed, and stored.
- Attention is focused almost exclusively on *what* Government should do rather than *how* it should be done.
  - — Legislation and regulations are drafted with little thought as to how paperwork or burdens on others might be minimized.
  - — Limited capability exists to identify and measure paperwork problems and solutions.
- Capabilities to manage paperwork and its root causes are scattered and ineffectual.
  - — Controls have been established over forms themselves, and do not treat the reasons the forms exist. Such controls occur too late in the process and have proven to be inadequate

- — Existing controls have great difficulty dealing with paperwork for program management and operation, which constitute most of Federal paperwork. They were designed originally to control statistical paperwork which is a small part of Federal paperwork today.
- — Existing controls are scattered among several different agencies including the Office of Management and Budget, the General Accounting Office, the General Services Administration, the Department of Commerce, and several others.
- — There is no comprehensive listing of what information is now being collected; as a result, duplication is hard to detect.
- — Little effort is made to eliminate problems caused by similar, but not identical information requests

- Previous administrative reforms focused on internal Federal management issues.
  - — The Brownlow, Hoover, and Ash Commissions sought to simplify management for the President and tried to organize programs by function to assign accountability to the President and the Congress.
  - — How Government organization and management practices affect others has rarely been considered.
  - — Government functions and programs are so overlapping that program reorganization alone will not solve problems of paperwork and red tape.

II.

The Work of the Commission

At its first meeting on October 3, 1975, the Commission decided to adopt a practical, activist approach by trying to eliminate excessive paperwork, and then to learn from its experiences.

Commission Advocacy

- During its two-year life, the Commission has engaged in active dialogue with the American public, with Federal agencies and with the Congress.
  - — A Paperwork Ombudsman office, equipped with a toll free "hot line," received and dealt with 3,500 paperwork complaints.
  - — Public hearings were conducted in 19 cities around the country to hear from hundreds of citizens.
  - — Numerous discussions were held with groups and associations from all sectors of society.
  - — On more than 20 occasions, the Commission testified before congressional committees.

Commission Studies

- We selected study topics on the basis of their potential for yielding significant, immediate paperwork savings and for the applicability of their findings to other Federal programs.
- The 36 reports of the Commission (summarized in Appendix B) examined:
  - — 18 major program areas such as tax, occupational safety and health, education, health and housing;
  - — 13 government processes, including rulemaking, information resources management, forms clearance, and the role of Congress; and
  - — the cost and other burdens of paperwork for five segments of the economy.

Status of Recommendations

- 770 recommendations were made and almost 50 percent are now being implemented by Congress and Government agencies.
- Most of the recommendations would eliminate existing paperwork.
  - — $3.5 billion could be realized in first-year savings from those recommendations currently being implemented;
  - — $10 billion in opportunities for first-year savings is possible if all are fully implemented.

- A number of the recommendations would change how the Government operates so paperwork problems can be avoided in the future.

Minimizing Burden and Maximizing Value

- We sought to distinguish between good and bad paperwork.
  - — Paperwork is good when it is useful and necessary to achieve National goals mandated by law, is collected in the most efficient manner, and serves multiple public and private purposes.
  - — Paperwork is bad when it is duplicative, excessive, costly, contradictory, intimidating or confusing.
- We found that excessive paperwork is symptomatic of:
  - — Programs that are organized with little regard for the way they will affect others;
  - — Programs that are designed in ways that ignore opportunities to cut paperwork and information costs to others without harming program effectiveness;
  - — Programs that fail to utilize the best information techniques and technologies.
- Alternative ways of operating Federal programs are often available which cut the costs of paperwork or increase its value.
- A willingness to cooperate and common sense are usually all that is required to determine the best alternative way of operating programs.
- Zero-based reporting reviews, such as the one developed by the Commission and the Environmental Protection Agency, force policy-makers to examine alternative ways of operating programs which minimize the paperwork and red tape involved.
- Opportunities to cut costs or improve performance exist almost everywhere, and can be achieved at every level of government.

Techniques To Eliminate Bad Paperwork

- Write Government material so it can be understood:
  - — Set readability standards so that likely recipients can understand questionnaires.
  - — Prepare rules and regulations in simple English so that Federal requirements are clear.
- Open agencies to suggestions and complaints:
  - — Set up suggestion and complaint offices which can help resolve an individual's problem and seek change in an administrative process if necessary.

- — Set up information centers, conduct training sessions, and publish literature so people will know better how to work with programs.

- Use trained information specialists to design and review information requirements:
  - — Use statistical sampling and periodically look to cutting sample size.
  - — Cut frequency of reporting.
  - — Use information and data processing standards.
  - — Design forms so they are easy to use.
  - — Use tested information technologies to cut costs and speed work.
  - — Reduce recordkeeping requirements.
- Design programs and regulations so they minimize costs to everyone and maximize effectiveness:
  - — Limit impact by making exemptions or establishing thresholds in recognition of special circumstances.
  - — Use *performance* standards specifying what to do, rather than *design* standards specifying how it must be done.
  - — Lessen paperwork requirements for those who consistently meet performance standards.
  - — Set responsiveness criteria; for example, how quickly applications will be processed.
  - — Reduce number of office visits required and make validation of information easier.
  - — Switch from universal reporting to sampling, to exception reporting, to certification, or to complaint handling.
  - — Modify Federal requirements to reduce the need for extra financing or personnel.
- Simplify requirements resulting from multiple laws, agencies, and programs affecting the same respondents.
  - — Reorganize to consolidate related programs.
  - — Establish a "cognizant agency", which alone would have the power to make and interpret rules, though other agencies may enforce compliance.
  - — Establish common administrative systems or elements to serve multiple programs, such as multi-program information data sharing, uniform definitions, and single applications.
  - — Assign duplicative Federal responsibility to States operating programs with comparable standards and adequate enforcement.

A New Philosophy Is Needed: Service Management

- The Commission has found from its experiences that there are ways to minimize paperwork costs and maximize program effectiveness for all parties involved in Federal programs.
- This is possible if we manage information/paperwork just as we manage other resources used in operating Federal programs.
- The Commission found that managing information as a resource enables Federal officials, for the first time, to get a complete picture of the costs and burdens of Federal programs not only to the Federal Government, but also for all other parties involved.
- This new management discipline is crucial because so many programs now involve others outside Government, and non-Federal costs are important to the success of programs and contribute heavily to the total program cost borne by society.
- "Service Management" is the term used by the Commission to summarize the reforms needed to design and operate Federal programs to minimize costs to all parties involved and maximize program effectiveness. These reforms must affect not only how the Government operates, but also the attitudes and behavior of people in and out of government.
- Service Management is the set of principles, procedures, and techniques necessary if Federal programs involving those outside government are to operate according to these long-standing tenets of public policy:
  - — Government exists to serve and protect;
  - — Federal programs should be conducted with economy, efficiency, and speed, coupled with fairness and equity.
- Our proposals are consistent with, and build upon existing management techniques by adding two distinctive disciplines:
  - — Managing information as a resource—like personnel, dollars, and property—so it will be planned, budgeted, controlled, and evaluated;
  - — Analyzing alternative ways of organizing and operating programs so that costs and advantages are appropriately distributed among all parties involved.
- The Commission's agenda for reform must be understood as preparing Government to manage not only its costs for Federal programs, but to manage the costs Federal programs impose on others.

III.

Recommendations To Change How Government Operates

The Commission's findings and recommendations identify specific and basic changes which are needed if paperwork issues are to be adequately considered and resolved. Such changes are not confined to narrow, administrative matters; they involve key elements of legislation, regulation and management.

Changing How Congress Legislates and Oversees Programs

Legislation is the root cause of paperwork. Surveys, applications, reporting and recordkeeping requirements are either mandated or authorized by law. Therefore,

- ***Congress should consider paperwork, reporting and recordkeeping issues at each stage of the legislative process. At a minimum:***
  - — ***Committee hearings should be used to develop information on anticipated burdens.***
  - — ***At the bill-drafting and mark-up stages, there should be an examination of alternative methods of compliance, application, licensing, standard-setting, regulation and so on.***
  - — ***A paperwork impact assessment should accompany proposed legislation when it is considered by either House. Such an assessment would inform legislators of anticipated paperwork consequences, and serve as a guide to legislative intent for program administrators.***
- ***Congress should give expedited consideration to paperwork reforms involving administrative provisions of law.***
- ***Congress should include a review of paperwork and red tape reduction as part of any "sunset"-type review of Government programs.***
- ***Congressional oversight of paperwork problems in programs should be increased and the Government Operations committees in each House should have general responsibility for paperwork problems.***

Changing the Rulemaking Process

Rulemaking is, in essence, legislation by executive departments and agencies. Agency rules and regulations have the full force and effect of law, and translate broad congressional mandates into operational programs and practices.

Most of the *specific* reporting and recordkeeping requirements imposed on the public stem from such rules and regulations.

- ***Greater efforts should be made to involve all interested parties in promulgating rules and regulations:***
  - ***— Time for public comment should be extended;***
  - ***— The effective date of proposed rules should be the subject of comment;***
  - ***— Agencies should work with those affected during the drafting stage;***
  - ***— Estimates of expected paperwork should be published for comment; and***
  - ***— Proposed forms should be published along with proposed rules.***
- ***Regulations should be reviewed periodically and updated or eliminated as times and needs change.***
- ***Language should be simplified and regulations shortened where possible.***

Managing Information/Paperwork Resources

Information is a manageable resource. It can be planned, organized, budgeted, controlled and evaluated using the same methods and techniques now used to manage personnel, space, real property, equipment and supplies.

- ***Executive agencies should establish comprehensive information plans that incorporate all the information needs and resources of the agency.***
- ***Agency plans should be coordinated Government-wide.***
- ***The Office of Management and Budget, the General Accounting Office and internal agency audits should examine how information is used.***
- ***Research should be expanded on alternatives to paperwork, quantification of paperwork burdens and values, and new information technologies.***
- ***Guidelines and standards should be developed to direct the information/paperwork activities of the Federal Government.***

Developing Confidentiality Standards

To secure the benefits of increased information sharing while preserving private rights and national security, the Commission has pressed for a Federal "Code of Fair Information Practices" that would carefully distinguish the treatment to be given to (1) personal individual information, (2) business and commercial data, (3) information used solely for statistical purposes, and (4) national security data.

- ***The President should issue a directive to executive agencies requesting (1) increased sharing of non-sensitive information to cut down duplicative reporting, (2) revised policies and practices giving more access to***

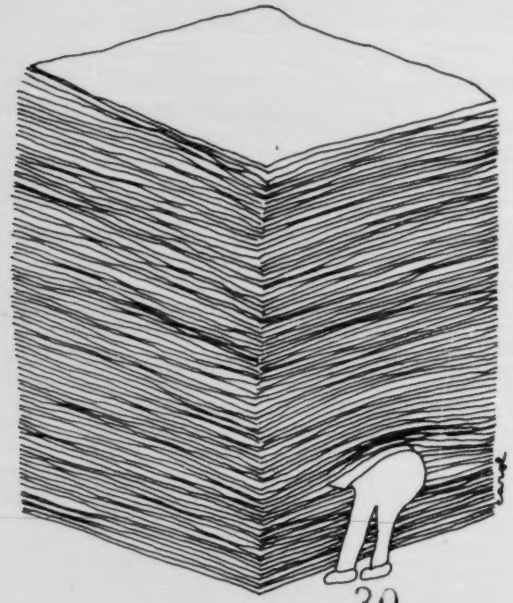
Government information, and (3) the elimination of confidentiality pledges not expressly authorized by statute.

- ***The Congress should review and standardize the diverse confidentiality provisions in existing law.***
- ***The Congress should extend the Privacy Act guarantees to non-Federal systems of records created or maintained with Federal funds.***
- ***Agencies should be given authority to disclose individual records which have been "depersonalized" for use in statistical research programs.***
- ***The President and Congress should establish an office with responsibility for policy development, oversight and compliance with confidentiality law.***

Preventing Duplication

The Commission's research revealed that multiple requests for *identical* information (other than name, address and other routine identifiers) are rare. More often seen, and far more troublesome, are requests for *similar* data, in slightly different format, from the same respondent.

- ***A comprehensive and timely guide or index to existing and planned information collections should be established. With such a Federal Information Locator System, agencies could seek data within the Government before gathering it again from the public.***
- ***The public should be encouraged to report duplication so that it can be eliminated.***



Strengthening the Clearance Process

The clearance process — wherein agency requests to collect information from the public are reviewed — is the last administrative opportunity to control or limit paperwork. In its present form, this process is ineffective:

- Many agencies are exempt from central clearance requirements.
- Clearance jurisdiction is split. The Office of Management and Budget clears most executive agency forms; and the General Accounting Office reviews the requests of independent regulatory agencies.
- Clearance authority is dissimilar. The OMB can say "no" to a request. GAO reviews requests and makes recommendations; the final determination rests with the agency.
- The process is adversarial in nature, occurs too late, and has the clearance office second-guessing line agencies with program responsibilities.

Based on these findings the Commission has recommended:

- ***Congress should remove all exemptions from the clearance requirements of the Federal Reports Act.***
- ***Congress should consolidate the clearance function in a single place, but retain oversight of independent regulatory agency requests.***
- ***Agencies should assume more responsibility for "clearing" forms when they have sufficient expertise to do so and should operate under OMB guidance.***

IV.

Initiatives for the Future

Responsibility for action now shifts from the Commission to the President, the Congress, the agencies, civil servants, and to those outside the Federal Government prepared to take an active part in improving public programs. Three major initiatives are necessary.

Strengthening and Coordinating Federal Management
First,
The President and the Congress should consider consolidating the central administrative functions of Government into a Department of Administration with Cabinet-level status — or some other appropriate arrangement — to promote more efficient, effective, and responsive administration of the Federal Government, thereby reducing excessive and unnecessary paperwork and red tape burdens on others.[1]

- Much of the work required to fashion programs so as to avoid excessive and unnecessary paperwork must be done during the legislative process and in the program agencies.
- But the biggest paperwork problems stem from poor organization of programs, a lack of common administrative systems serving multiple programs, and inadequate expertise, guidelines, and oversight of information activities.
- The administrative and management policy functions which deal with these causes of paperwork are split among several agencies of Government, lack coordination, and are without the resources necessary to provide the central management needed today in so many instances to supplement existing program management.
- ***Policy-level*** attention must be given to:
  - — The organization of Federal programs—not only how they are arranged into departments and agencies, but also how they are organized for delivering services at the local level;

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[1] Commissioner Califano states: "I am not convinced that there is an overriding need for a new Cabinet-level Department of Administration. I believe that, by implementing the more than 700 individual recommendations of the Commission, a significant reduction of paperwork can be achieved without substantial change in the existing Federal organizational structure."
Commissioner Staats does not support this proposal. He recommends establishment of a strong, adequately-staffed unit in the Office of Management and Budget with coordinating and policy responsibilities for all aspects of statistical collection, analysis, dissemination, and paperwork management; alternatively, if this is not acceptable, he would recommend placement of these responsibilities in an independent Federal Statistical Commission.

- The development of standard administrative systems serving multiple programs affecting the same respondents, including the functions of the Administrative Conference of the United States and the Office of Federal Procurement Policy;
- The coordination and standardization of program activities among Federal, State, and local governments;
- The coordination of information-related activities and functions—such as statistics, records management, ADP, and processing standards — under an information resources management program;
- The development of and compliance with consistent policies dealing with confidentiality;
- The establishment of guidelines and standards for the agencies to follow in organizing, designing, and operating programs, particularly as these factors relate to paperwork and red tape;
- The consolidation into a single authority with responsibility to "clear" or approve reporting requirements imposed on the public.

• We need ***service*** capabilities to:

- Provide agencies with expertise in analyzing organization and management issues;
- Develop and maintain an information locator registering all information already collected by the Federal Government to avoid duplication;
- Publish the *Federal Register*, an important service and control point in rulemaking;
- Develop and operate a central information and complaint office to supplement agency efforts.

• Several ***operating*** programs should be coordinated:

- The National Archives and Records Service;
- The Automated Data and Telecommunications Service;
- The Institute for Computer Sciences and Technology;
- The Bureau of the Census, which fills the data needs of many Federal agencies.

• Other central administrative units also might be included in a comprehensive consolidation.

• We recommend that consolidating these policy, service, and operating functions into a Cabinet-level Department of Administration be considered

- In recognition of the fact that *how* we operate programs is as important as *what* they are to accomplish;
- To serve as a catalyst and provide the resources necessary to lead a major attack on excessive paper-

work by radically improving the institutional capability of Government to organize and operate its programs as they affect individuals or organizations.

- Other possible organizational arrangements which involve less restructuring while providing the necessary coordination also deserve consideration.
  - — Placing the policy functions, along with additional resources in the Office of Management and Budget, with OMB coordinating the other functions;
  - — Placing the policy functions in an independent commission of three members, with coordination responsibilities for the other functions.
- Under any of these arrangements, the President and the Office of Management and Budget would retain responsibility for policy oversight.

Adopting Service Management
Second,
Our national leaders and everyone involved in Federal programs should commit themselves to a partnership effort implementing the principles of Service Management.

- The work of this Commission leads to the conclusion that a new management philosophy is needed if Federal operations are to be efficient, effective, and free of unnecessary paperwork — a philosophy we call "Service Management."
- The fundamental changes we propose are distilled from our experience in dealing with actual problems and resolving them. Components of this philosophy summarized previously in this report include:
  - — Changing how Congress legislates, how agencies make rules, and how programs are evaluated so a choice can be made on how to operate Federal programs, appropriately distributing the costs and advantages among the parties involved.
  - — Managing information or paperwork as a resource so it can be planned, budgeted, and costed.
  - — Consolidating the Government's central administrative functions to support the new focus of organizing and managing Federal programs to minimize the costs and maximize the effectiveness to all parties involved.
- Changes in attitude and behavior are also necessary.
  - — Federal officials must recognize responsibility for the total costs imposed on others, including the costs of paperwork and red tape. They must also undertake careful and considered analyses of alternative ways to operate programs, soliciting input from all parties involved.

— Those outside the Federal Government who are involved with Federal programs must recognize their responsibility with the Government for designing or reforming Federal programs so they better meet their objectives free of unnecessary paperwork. They must also provide Government with information on alternative ways of operating programs, including costs and advantages of the different ways of operating.

- This partnership requires the following types of actions from those involved in Federal programs:

  — Individuals should develop the best possible cost data on Federal paperwork requirements, and suggest alternative ways of operating programs. (The Commission has an "Action Kit" of materials describing how to measure burdens and analyze alternatives.)

  — Individuals, consumer groups, and trade associations should take part, utilizing the channels of participation opened by the Commission's recommendations, in drafting legislation, writing regulations, evaluating programs, and discussing in the open the costs and advantages of each alternative way of operating programs.

  — Those involved in Federal programs must organize to demand efficient and effective government, free of crippling paperwork, and hold accountable Federal officials for how well government operates.

- Service Management is necessary if we are to have an effective and responsive government, one capable of meeting the goals we set for ourselves as a Nation, now and in the future.

Continuing and Expanding the Fight Against Paperwork

Third,

National leaders from the public and private sectors should act immediately to expand the attack on excessive and unnecessary paperwork with new initiatives,

- A Citizens Committee should be established to organize people working individually and through their associations to insure continued interest and effort both in and out of government toward reducing paperwork.

- The President and the Congress should exert leadership so that all parts of the Federal Government assume responsibility for and seek to control not only Federal costs and taxes, but the hidden burdens of paperwork.

- The President should direct each agency to name a high-ranking individual as the principal contact person for paperwork and red tape problems. That individual should

have authority to act and be held accountable for the information activities of the agency.

- The President should continue his program of paperwork reduction and set new goals to continue the Administration's program beyond the efforts which will be completed on September 30, 1977.
- The Commission endorses and supports the President's efforts to make Government understandable and responsive. We urge the President to continue his campaign for clarity and readability in Federal publications, rules and regulations, forms and instructions. We suggest that he set standards and a timetable for agency compliance and that he permit the *Federal Register* to refuse publication of unclear material.
- The President's reorganization task force should look not only at organizing to improve management control, but also at organizing to simplify relationships between Government and individuals.
- The Congress and the President should undertake major organizational and programmatic reviews of large and complex program areas. In addition to the studies already underway in welfare and energy, we recommend attention to employment, agriculture, small business loans, segmented financial reporting, and Federal statistics.
- The executive branch and the Congress, in their respective zero-based budgeting and sunset reviews, should pay particular attention to how programs might be changed to reduce paperwork and red tape. These reviews should include examination of direct and indirect costs to all parties.

Appendix A

Location of Recommendations in Commission Reports

This Appendix illustrates the key causes of paperwork and the reports of the Commission which address these causes. The numbers in the table correspond to the recommendation numbers in the individual Commission reports.

LOCATION OF RECOMMENDATIONS IN COMMISSION REPORTS*

Commission Report / Causes of Paperwork	Lack of Communication	Insensitivity	Incomprehensibility
Clearance Process			
Confidentiality/Privacy	1, 2, 15	1, 2, 8	2, 3, 6, 7, 13, 15
Consumer Credit Protection			1, 2
Education	6, 20, 28	11, 18, 24, 25,	13, 14, 15, 23, 34, 36
Employment and Training	6, 7, 12, 15, 17, 18	4	16
Energy	10		
Environmental Impact Statements	2, 3, 12, 13	4, 9, 14	6, 12
Equal Employment Opportunity	13, 15, 16, 20, 24	2, 4, 6, 13	1
Federal Information Locator System			
Federal/State/Local Cooperation	4, 22, 31, 34, 35	23	21
Health	26	11, 28, 29	9, 10
Housing	43, 44, 56, 57	15, 16, 45, 58	
Information Resources Management		1	
Information Value/Burden		1, 2, 3, 4	
Occupational Safety & Health	5, 6, 7, 18, 22-25	1, 3	7
Ombudsmen**	1-4	1, 2	1, 2
Pension Plans (ERISA)	12	9, 10, 13, 14	3
Procurement			
Public Works	1, 3-6, 8	1-4, 6, 8	4, 7
Records/Paperwork Management			
Role of Congress	1, 2, 9, 10	3, 5	6
Rulemaking	1, 2, 6, 11, 14, 18, 20	1, 3, 9, 15, 17, 22	4, 5, 10, 12, 13, 14, 20
Segmented Financial Reporting	2, 3, 4	2-5	
Small Business Loans		2, 3	
Social Services (Title XX)	14, 16	1, 3, 6, 15	8
Statistics	5, 8, 10	10	
Tax	1, 5, 13, 15, 19, 20, 21	1-5, 9, 12, 13, 14	4, 14
Welfare Administration			

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*NUMBERS CORRESPOND TO RECOMMENDATIONS CONTAINED IN INDIVIDUAL REPORTS.

**THESE FOUR RECOMMENDATIONS APPLY TO THE OMBUDSMEN FUNCTION. NOT INCLUDED ARE THE MORE THAN 140 RECOMMENDATIONS MADE BY THE OMBUDSMEN TO OVER TWO DOZEN FEDERAL AGENCIES. THESE WOULD FALL IN EACH OF THE CATEGORIES LISTED ABOVE.

Overlapping Organizations	Poor Program Design	Poor Information Practices	Inconsistent and Ineffective Confidentiality Policies
1, 3, 5, 6	7, 8, 11	2, 4, 9, 10, 12	
2-7, 11, 13, 16	4, 5, 9, 10-16	2, 3, 11, 15	1-16
3, 7	4, 5	6	
5, 9, 21, 30, 37, 35, 39	1, 2, 3, 8, 16, 33 38	4, 10, 26, 31, 32	
2	1, 5, 9, 10, 14	3, 8, 11, 13	
9, 11-17	18, 21, 22	1, 7, 8, 19, 20	2-6
1, 3, 5, 11, 14	3, 4, 5, 7, 12, 13	4, 6, 8, 10, 12, 13, 14	
11, 21, 22	3, 9, 17, 23, 25, 26	5-8, 10, 12, 14, 18, 19, 24	2
		1	
13-20, 24, 25,	1, 2, 6-9, 27, 28	3, 5, 29, 30	
1, 2, 4, 16, 17, 27, 30-35	3, 6, 7, 8, 12-15, 37	5, 18-25, 36	
1, 2, 5-11, 26, 27, 35-42, 46, 49-53	22-25, 28	3, 4, 12-25, 28-34, 54, 55	
2, 3, 4, 15	6	7-14	5
2, 9, 16, 17, 20	4-6, 13, 14, 17, 18, 20, 26	3, 8, 10, 11, 12, 15, 16, 20, 21	14, 20
1, 2	1, 2	1, 2	1, 2
8, 9, 10, 12	1, 2, 5, 6, 9	4, 7, 11	11, 13
4, 5, 8, 10-16, 24, 25, 27-32	3, 6-9, 17-23, 26, 28	12	
7, 8	1-5, 7	3, 4, 8	
	2-7	1, 8	
4	1, 6, 8	1, 6	
7, 8, 18	3, 5, 7, 9, 10, 11, 15, 22, 23	4, 9, 15-19, 21	
	1-5	1, 7	6
2, 4, 13		1, 3, 5-12	
4, 12, 13	2, 3, 4, 8, 16	9, 10, 13, 15, 17	7, 11
1, 2, 4, 9	3	2, 3, 4, 6-10	5
9, 10, 11	6	2, 3, 7, 12, 16-18	
1-5			

Appendix B

Summaries of Commission Reports[1]

This Appendix contains summaries of 36 reports prepared by the Commission. These reports stem from three distinct kinds of studies and investigations:

- Eighteen ***program studies*** focused on the paperwork and information management problems arising from either a single piece of legislation — such as the Occupational Safety and Health Act or pension reform (ERISA)— or a broad government activity, such as housing, energy and welfare. Individually, these studies yielded immediate improvements; collectively, they provided substantial evidence which illuminated the systemic problems of Federal paperwork.
- The fundamental institutional reforms sought by the Commission were explored through thirteen ***process studies.*** These studies analyzed problems that cut across organization boundaries, are not limited by specific program legislation, and have persisted for some time. In purpose, these studies sought changes in those statutes and policies which serve as the bedrock of Government management procedures affecting paperwork requirements. Topics of this kind include treating information as a resource, central clearance of reports and information requests imposed on respondents; legislative barriers and administrative constraints on information sharing; information exchange between and among levels of government, and the role of Congress.
- Identification of problems from the respondents' point of view occurred through hearings, correspondence, and contacts with representative organizations. The Commission's ***impact studies*** synthesized this information and undertook additional research to report on the burdens of paperwork and red tape from the respondents' point of view.

Program Study Reports

Consumer Credit Protection

Purpose and Scope. This report examines the laws and regulations governing the extension of consumer credit. These require financial institutions granting consumer credit to make specific disclosures and notifications to consumers; utilize certain disclosure forms; and

[1] Copies of these reports are distributed to the Federal Depository Library System. They are also available for purchase through the Superintendent of Documents, U.S. Government Printing Office, Washington D.C., 20401.

maintain extensive records. These requirements arise from recent laws and regulations which have been subject to successive and sometimes contradictory amendments and interpretations. Although they were intended to benefit consumers, they have resulted in costly, complex and confusing paperwork. The report suggests ways to reduce this paperwork and enhance consumer credit protection.

Specifically, the report examines required truth-in-lending disclosures to consumers including the terms and cost of credit, the leasing of personal property, and the use and revision of disclosure forms. The report analyzes the requirements for periodic notices to consumers, the procedures for handling credit card billing disputes, retention of records, credit applications and methods for assuring equality in the extension of credit.

Key Findings. The report finds that excessive paperwork has resulted from:

- Repeated amendments to the laws which led to inconsistent regulations and conflicting court opinions;
- Frequent and often unnecessary revision of disclosure forms to i[illegible]new regulations and interpretations; and
- Multiple, recurring, duplicative and confusing disclosures to consumers.

Nature and Scope of Recommendations. The report makes specific recommendations to alleviate paperwork problems in consumer credit.

- Congress should review and simplify the Truth-in-Lending Act to provide for disclosure statements that are clear and comprehensible.
- A related recommendation calls for simplification of consumer leasing disclosures through modification of the statutes and regulations.
- Because of the excessive paperwork accompanying frequent revisions of forms, the Commission recommends adoption and use of standardized forms for a one-year period, and the issuance of model forms by the Federal Reserve Board.
- In an effort to eliminate redundant paperwork, the Commission recommends elimination of the requirement for semi-annual notices to consumers under the Fair Credit Billing Act, and to allow creditors to provide this information at the time of billing.
- The Commission recommends that the two-year record retention requirements of the equal credit opportunity regulations be reviewed by the Federal Reserve Board to eliminate unnecessary recordkeeping costs.

- Congress should evaluate the paperwork costs associated with provisions of the Equal Credit Opportunity Act governing credit scoring systems to be used by financial institutions.

Education

Purpose and Scope. This report documents selected Federal paperwork burdens on elementary and secondary schools, State departments of education, colleges and universities, and students. It recommends immediate action to ease burden in some instances—which agencies have implemented—and, in other instances, suggests specific long-range management controls which are needed.

In preparing its recommendations, the Commission looked at a wide variety of Federal programs, across agency lines, from routine Federal information gathering to students applying for financial assistance to attend college. It examined a variety of information requirements from civil rights compliance reporting to documenting faculty research activities. It was also concerned with whether required information was readily available and the extent to which it was used after it was collected.

Key Findings. The Commission found that the Federal Government did not know who was collecting what, from whom, or for what purpose in education. It found that the severest burdens are caused by:

- Insufficient lead time to respond to the request;
- Frequent duplication of information and forms;
- Collection of unnecessary information; and
- Not using information collected.

The Commission also found an interest in reducing paperwork by Federal agencies and a readiness to act. Paperwork has become a burden to agencies, too.

Nature and Scope of Recommendations. In its 41 recommendations on education, the Commission addressed grants and contracts, student aid, nondiscrimination, and management controls. These recommendations call for:

- Centrally coordinated review and collection of data;
- Use of standardized terminology;
- Automated index of information;
- Establishment of cognizant agencies where multiple agency programs overlap;
- Combining applications, especially for student aid;
- Making multiple uses of data collected; and
- Mandating sufficient lead time to gather data and complete forms.

This report concludes by calling on the Congress, as initiator of most of the paperwork, to review its reporting requirements on education

at least every third Congress, to mandate collection of data with at least a nine-months lead time, and to provide a hearing record when legislative history is absent, sparse, or vague.

Employment and Training Programs

Purpose and Scope. This report was developed as a follow-up to the Commission's welfare report. It deals with those income security programs that provide benefits and services to the unemployed, underemployed and working poor. At a cost in excess of $12 billion, over 15 million individuals will benefit from one or more of these programs during the next fiscal year.

The report emphasizes the delivery of services under the unemployment insurance system, the U. S. Employment Service, the Work Incentive (WIN) program, and programs under the Comprehensive Employment and Training Act (CETA).

Key Findings. Responsibility for the development, administration, and coordination of employment and training programs is so diffused and fragmented at all levels of government that it has been almost impossible to develop rational priorities in these fields. Even good programs have proven to be far less effective than could reasonably be expected. The lack of a coherent, flexible, national manpower policy reduces prospects for solving numerous economic and social problems which threaten fundamental national interests and objectives.

This diffusion and fragmentation has led to, and is perpetuated by, substantial amounts of unnecessary and duplicative paperwork, while pressing and legitimate information needs are not met.

The Commission estimates that CETA paperwork, alone, requires more than one hundred million hours per year to complete, or the full-time yearly equivalent of 50,000 people.

Nature and Scope of Recommendations. To solve the coordination problem, the Commission recommended that the Secretary of Labor develop and implement an administrative system within the Department of Labor which treats employment and training programs as investments in human resources. This administrative system should develop common definitions, procedures and evaluation techniques, as well as compatible standards for measuring program performance levels.

To implement the proposed administrative system, a number of specific steps were recommended regarding the cross-program issues of:

- Interagency coordination;
- Labor market information;
- Unemployment indicators; and
- Allocation of Federal funds.

Then, a number of specific management problems in the CETA and WIN programs were identified. In each instance, paperwork prob-

lems were related to a wasting of both human and financial resources. Here, the recommended solutions are designed to achieve short-run improvements in manpower programs while facilitating the longer run development and implementation of the administrative system utilizing the investment in human resources concept.

Energy

Purpose and Scope. The Commission concentrated its efforts in this study on the six major Federal energy agencies. These agencies use almost 220 forms requiring 3.5 million annual responses, and require an estimated 11 million hours to complete at a cost to the private sector ranging from $167 to $335 million.

The Commission examined the information systems and reports forms of these agencies to determine:

- Why there was neither a consistent nor credible data base for policymaking or management decisions;
- What the cost of filing federally-mandated forms was to the energy industry and ultimately to the consumer;
- If there was a more efficient and effective way of collecting required energy data; and
- Why the licensing and siting of a nuclear power plant required 10 to 13 years.

Key Findings. In pursuing these questions the Commission found that:

- No standardized terminology exists for energy data.
- Communications between energy regulatory bodies and industry components are restricted and overly structured, occuring primarily through formal rulemaking procedures.
- Cost burden associated with the preparation of forms is absorbed by consumers through higher utility bills and gasoline prices.
- Energy data are collected by several agencies, and major constraints inhibit the sharing of information among energy agencies.
- Licensing for nuclear power plants requires vast documentation, adjudicatory-style public hearings, and interagency and intergovernmental overlap of data gathering and review.

Nature and Scope of Recommendations. The major recommendations include:

- OMB and the Federal Energy Administration should ensure that all import data are gathered on a consistent basis and should eventually consolidate data collection and dissemination.

- Guidelines, administrative procedures and draft legislation establishing Government-wide confidentiality standards on energy information should be prepared.
- The Secretary of the Department of Energy should establish a National Data Center for statistical energy information.
- The Nuclear Regulatory Commission (NRC) should develop Standard Review Plans for the siting and licensing process for nuclear power plants.
- The NRC and EPA should work more closely to facilitate the licensing of nuclear power plants.
- The NRC should work with States to (1) develop common data requirements for nuclear power plant license applicants, (2) hold joint environmental hearings, and (3) develop Memoranda of Understanding with each State delegated effluent discharge permit authority by EPA.

Environmental Impact Statements (EIS)

Purpose and Scope. This report examines the time-consuming and costly process involved in the development of EIS's. The report takes as given the need to protect the environment and the importance of careful examination of potential threats to the environment. The purpose of the study is to propose more efficient management procedures and strategies for impact assessment and to improve intergovernmental planning and coordination in the environmental areas.

The report reviews the regulatory framework established on the basis of the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's (CEQ) supervisory guidelines, as well as the procedural steps involved in the EIS process.

Key Findings. The excessive burden of the EIS process arises from several factors:

- Wide variance in terminology used to express similar meaning;
- Overlapping and sometimes conflicting Federal, State and local review requirements;
- Repetitious submittal of similar or identical material to an agency.

Five case studies are presented, along with requisite regulatory analysis, outlining several approaches for streamlining the EIS process. Generally, the Commission believes that the key to improving the EIS process rests with the exercise of a stronger coordinative role by the CEQ.

Nature and Scope of Recommendations. Recommendations in this regard include:

- The President should encourage agencies to develop consistent regulations and definitions to assure coordination among Federal agencies in EIS preparation.

- CEQ guidelines are too broad to permit consistent agency interpretation of NEPA requirements.
- The CEQ should:
  - — Encourage Federal agencies to (1) assist State and local governments to adopt techniques that integrate EIS's into the project planning documents, and (2) provide technical assistance to State and local governments to help implement efficiency techniques for the preparation of EIS's;
  - — Encourage the use by Federal agencies of areawide rather than site specific EIS's;
  - — Work with Federal agencies to recognize and promote integration of the draft EIS into initial project planning documents;
  - — Encourage development and use of environmental resource inventories as an efficient way to avoid duplication of baseline data for an EIS;
  - — Improve baseline data with other organizations, and prepare model legislation to establish minimum standards for State environmental policy acts to eliminate conflicting Federal and State environmental policy act requirements.
  - — Encourage Federal agencies to establish cooperative agreements with State and local governments to insure that information collection, analysis and decision making are coordinated among the levels of government.

Equal Employment Opportunity

Purpose and Scope. Federal involvement in and operation of equal employment opportunity (EEO) programs are discussed, including the statutory and regulatory bases for EEO reporting and recordkeeping requirements and the distribution of EEO authority among Federal agencies. Perspectives on EEO paperwork are presented from private business, State and local governments, and educational institutions.

Key findings. This study reveals that:

- Compliance with EEO regulations and laws is complicated by multiple, diverse and sometimes conflicting agency requirements and forms.
- Requirements for Affirmative Action Plans are not uniform among compliance agencies.
- As a result of inconsistent or unclear compliance requirements, some companies have been forced to develop extensive and costly reporting programs which go far beyond Government-mandated programs and divert resources and effort from substantive EEO gains.

- Agencies frequently require unnecessary reporting as a result of inconsistent interpretations of Title VI of the Civil Rights Act.
- No uniform guidelines currently exist for the development of Affirmative Action Plans by State and local governments.
- State and local governments receive very little technical assistance from the Federal Government concerning EEO compliance.
- Data collected by the Equal Employment Opportunity Commission (EEOC) are published too late, or not at all, and are therefore not as useful as they could be to industry, schools, States, unions and civil rights groups.
- Organizational disarray in the EEO field has led to paperwork becoming an obstacle rather than an aid to enforcement.

Nature and Scope of Recommendations. The Commission recommended:

- The Office of Federal Contract Compliance Programs (OFCCP) should adopt standardized language and forms for contractors to certify that their subcontractors are in compliance with EEO requirements.
- OFCCP should standardize information for compliance review and make this information available to Federal contractors to facilitate recordkeeping and simplify the review process.
- OFCCP should develop model affirmative action plans for employers, particularly small employers.
- Greater emphasis should be placed on the development of Corporate Contract Compliance (3C) programs, allowing the use of approved corporate-wide affirmative action plan formats.
- The Attorney General should issue a memorandum to agencies specifying those programs authorized to collect EEO data under Title VI.
- The Civil Service Comission should develop guidelines for affirmative action plans for State and local governments in those regions lacking them.
- The President should designate a lead agency to provide technical assistance to State and local governments to help them comply with EEO reporting and recordkeeping requirements.
- The Secretary of HEW should formulate uniform regulations for the statutes administered by the Office of Civil Rights.
- The EEOC should, in the interest of timeliness, publish preliminary tabulations with appropriate safeguards for

individual data and should publish information gathered from all EEOC survey forms as quickly as possible.

- The President and the Congress should reorganize EEO responsibilities to strengthen EEO compliance and streamline procedures.

Health Programs

Purpose and Scope. The cost of Federal health programs has risen from $1.4 billion in 1950 to $38.9 billion in 1976. Federal health expenditures are exceeded only by monies devoted to welfare and national defense. This trend shows no signs of abatement. Yet massive infusions of Federal funds have not quieted the controversies surrounding health care. On the contrary, they seem to have stimulated them, and what to do about health remains one of the most sensitive issues in the country. In the forefront of these considerations stands costly paperwork which strains our economy, our health care delivery system, and patients as well.

The purpose of this study was to address these paperwork problems and to seek both short- and long-term solutions. Programs selected for study included Medicare, Medicaid, categorical health programs (maternal, child, mental, migrant and rural health) and prototype data coordination programs. These programs were selected for their broad impact, mature operational and data collection procedures, and applicability to other programs.

Key Findings. The Commission found that not all current paperwork is necessary for sound program planning and control. Much of it is attributable to private associations and State governments. However, much of it stems from inconsistent congressional action, administrative anomalies within the executive branch, and a disinclination to share data between programs. Thus, key findings point to the need to decrease duplication among Federal data requests, foster coordination and cooperation between agencies, increase the use of efficient data collection techniques and methodologies, and increase awareness of paperwork implications of both congressional and executive branch actions.

Nature and Scope of Recommendations. Implementation of the Commission's recommendations for both short- and long-term solutions to paperwork problems in Federal health programs can save over $420 million annually.

Recommendations addressing specific, identified paperwork problems included: (1) Developing a uniform multiple-listing claim form for use by Medicaid, Medicare and private insurers; (2) using statistically valid sampling techniques to review and audit claims under Medicaid; (3) application revision and reporting data consolidation under categorical health programs; and (4) increased support and utilization of the Cooperative Health Statistics System and the Reimbursable Work Program.

The Commission recognized that answers to specific problems often indicated solutions to broad, generic paperwork problems. Recommendations aimed at long-term paperwork reduction included: (1) Developing a health data inventory for use by both Congress and the executive branch to reduce duplicative data collections; (2) requiring a paperwork impact statement in proposed legislation, and (3) an array of approaches for dealing with overlapping agency jurisdictions. These range from designation of a common authority over programs with essentially identical purposes to the cognizant agency concept, and/or use of data coordination and collection mechanisms and technology where programs differ in purpose but possess similar data needs.

The Commission has made 39 recommendations for paperwork reduction in Federal health programs. All are in various stages of implementation.

Housing

Purpose and Scope. Programs of the Department of Housing and Urban Development, the Veterans' Administration and the Farmers Home Administration (Department of Agriculture) are analyzed from a policy as well as paperwork perspective. These programs include single family, multi-family and low-income public housing programs.

Key Findings. The principal findings of this report are:

- Overlap is evident among agency programs.
- Reporting requirements are often excessive, causing costly processing delays and producing duplicative information.
- Paperwork often substitutes for effective consumer protection

Nature and Scope of Recommendations. Based on these findings, the Commission recommended that:

- Many reporting requirements be standardized.
- The Department of Housing and Urban Development, the Veterans' Administration and the Farmers Home Administration develop joint forms wherever possible. Specific examples are cited in the report.
- Central information locators be established in housing agencies to eliminate excessive information requests and duplication.
- Consultation procedures with clients be established by HUD, VA and FmHA to receive greater input on agency rulemaking and on-going procedures.
- Congress provide for coordination among its housing-related committes for purposes of proposing new legislation and sharing housing information.
- Paperwork management staff be established in senior departmental offices.

Occupational Safety and Health (OSHA)

Purpose and Scope. This review of OSHA legislation and recordkeeping and reporting requirements examines OSHA Form 100 series and discusses the development of national consensus safety standards and attendant recordkeeping requirements. The status and future development of health standards are described, and proposals made for improved Federal-State relations.

Key Findings. This investigation found:

- The need for better information on injuries and illnesses is not met by the required accumulation of logs, records and summaries.
- Too many agencies in addition to OSHA have authority over workplaces in certain industries and occupations.
- There is a need for substantive review of standards, because they are difficult to interpret, of marginal value, contain gaps and omissions, are incorporated by references, and tend to be static.
- Recordkeeping requirements are not clear, consistent or relevant in some instances.
- Development of health standards will require a new strategy establishing priorities to address the potentially most harmful substances and practices.
- States are overburdened with requests for information from OSHA and with failure to recognize State concerns.
- Substitutes for paperwork compliance with OSHA regulations should be adopted.

Nature and Scope of Recommendations. Major recommendations include:

- Employers with fewer than 100 employees should not be required to keep the OSHA Form 100.
- The Department of Labor (DOL) should revise Form 100 to make the data more readily available and statistically valid.
- OMB should consider a central clearinghouse or other arrangement for the receipt and dissemination of information on occupational injuries and illnesses.
- Requirements for recordkeeping in compliance with safety and health standards should be clearly set forth in the regulations and suitably indexed.
- In place of health standards for less hazardous substances, nonregulatory guidelines should be developed for use by employers and employees.
- DOL should direct a review of reports required from States with approved plans for occupational safety and health administration, to eliminate duplicate information, excessive copies, and unnecessary information.

- DOL should review OSHA's management information system and make adjustments necessary to meet existing State systems and requirements.
- DOL should expand on-site consultations to assist States and employers.

Pension Reform (ERISA)

Purpose and Scope. The Employee Retirement Income Security Act of 1974 (ERISA) was Congress' response to abuses found in employer's voluntary pension and profit sharing plans. Special task forces starting in President Kennedy's administration found that too many employees in plans never received the benefits they were promised. Sometimes this was due to a deliberate manipulation by the employer through restrictive requirements in the plan terms or company policy which frustrated the terms of the plan.

ERISA responded to these abuses by requiring information regarding plans to be forwarded to the Department of Labor (DOL), the Internal Revenue Service (IRS), the Pension Benefit Guarantee Corporation (PBGC), and the employees covered or to be covered by a plan.

Key Findings. The study found that after the implementation of the reporting requirements by the various regulatory bodies, many employers terminated their plans and complained about the onerous paperwork burden caused by ERISA. In 1974 and 1975 the reason given to IRS for the termination of plans by many employers was the recession. However, when the staff of the CFP questioned these employers and their consultants, it was found that in many cases the extra paperwork and reporting requirements did not justify retention of the plans.

Nature and Scope of Recommendations. The study examines the duplication in filing information with the regulatory bodies, proposing to limit information to be filed with DOL and IRS to what is required to administer ERISA and streamlining the information to employees covered by plans.

The study makes 14 recommendations which when implemented will save the Federal Government and employers with pension and profit sharing plans about $400 million. Key proposals are:

- Amend ERISA Section 104(a)(1)(D) to require that notices of amendment(s) to pension plans may be filed in connection with their annual report rather than as additional EBS-1 forms which presently are required within sixty days of a plan change;
- Amend ERISA section 104(a)(1)(C) to eliminate the requirement that a five year summary plan description be filed with the Department of Labor.
- Employers should be required to provide employees with simplified statements of accrued benefits and vesting in lieu of the complex financial statements presently required;

- IRS should eliminate the requirement to file Forms 5498 and 5499 with IRS Service Centers;
- Because IRS does not have resources to perform audits, and since discrepancies may appear between Forms 5501 and 5504, Form 5504 should be eliminated;
- The study endorses efforts of the IRS to develop a checklist for standardizing criteria used in determinations of the tax status of employee benefit plans;
- To eliminate duplication in information on EBS-1 and IRS 5300 or 5301 forms from pension plan sponsors and to reduce paperwork, DOL and IRS should agree to have one agency collect information and forward it to the other agency on a reimbursable basis;
- IRS and DOL should agree on single filing date for 5500 series forms. If necessary, statutory requirements for filing should be modified to provide for a single filing date;
- DOL and IRS should jointly re-examine filing date requirements for all pension plan information and institute changes to assure that as much information is possible is submitted on the same date;

Procurement

Purpose and Scope. Procurement of goods and services by the Federal Government is large in dollar volume, complex in its procedures, and varied in user requirements. Procurement outlays—65 to 70 billion dollars in 1976—comprise approximately a fifth of total yearly expenditures. Some 8,000 employees, in more than 100 Government agencies, are engaged in procurement and related activities. These activities are governed by, or involve, a massive aggregation of laws, regulations, directives, instructions, circulars, bulletins, reports, manuals, forms, contractual instruments, specifications and standards, data management and processing systems, and general publications. The paperwork implications of Federal procurement are obvious, the burdens on Government and contractor organizations heavy. By seeking ways to reduce or eliminate unnecessary paperwork in the Federal procurement process the Commission sought to lighten these burdens.

Key Findings. In conducting this study, the Commission recognized that (1) the recommendations of the Commission on Government Procurement had potential for paperwork reduction, and (2) the Office of Federal Procurement Policy is a critical instrument in realizing these potentials. The CFP found that:

- Cumbersome purchase procedures are used even where simpler methods would suffice. These elaborate procedures are used because of careless selection, indifference, habit, and unfamiliarity with alternatives.
- Multiple guidelines and regulations for small purchase procedures result in (1) proliferation of paperwork, (2)

policy and procedural discrepancies or inconsistencies, and (3) confusion on the part of small contractors about the requirements of the various contract agencies.

- Profusion of laws and overlapping jurisdictions increase paperwork.
- Dollar thresholds for applicability of certain statutory provisions are far too low, resulting in excess paperwork for small firms.
- On-site, pre-award surveys are unnecessarily costly and disruptive
- On-site plant visits are duplicated by different agencies and are unnecessarily disruptive.
- Inconsistent statutory language and un-coordinated regulation leads to duplicate data gathering.

Nature and Scope of Recommendations. Information and recommendations concerning the selected study projects are presented under three chapter headings. A fourth chapter considers longer-range or generic solutions bearing on the legislative and regulatory framework for Government procurement. Briefly, the chapter divisions and content are as follows:

- Contract Placement: Recommendations are made to reduce paperwork by improving small purchase procedures, raising exemption thresholds for contractors subject to a variety of procurement-related laws and regulations, reducing the quantity and improving the quality of pre-awards surveys, and clarifying procurement standards for observance by Federal grantees.
- Contract Administration: Recommendations are made for reducing paperwork through expanding the cross-servicing of contract administration, simplifying the means for making progress payments and cost reimbursements to contractors, reducing the complexity of Government documentation for material receipt and inspection, and limiting the distribution of advisory audit reports to actual users.
- Procurement Information and Data: Recommendations are made for reducing paperwork through improving the means for reporting procurement transactions, modernizing the preparation of the *Commerce Business Daily* and distributing it less frequently and more selectively, and overhauling the documentation requirements for defense provisioning.
- Legislative and Regulatory Framework: Recommendations are made for reducing paperwork through reforming the basic procurement statutes, making simpler and more uniform the procurement regulations, controlling the supplementary issuances at the agency level, and emphasizing paperwork aspects of procurement in research and training of procurement personnel.

Public Works

Purpose and Scope. This report investigates the paperwork burdens placed on applicants as a result of increasingly complex laws, regulations and review procedures. Four public works grant programs were selected for examination of problems unique to that program and as areas of study wherein paperwork reduction alternatives developed by the Commission would be transferable to similar programs. These four programs are:

- Local Publics Works program (LPW):
- Federal Aid Urban (Highway) program;
- Federal Urban Mass Transportation program; and
- Federal Wastewater Treatment Works Construction program.

The report focused particularly on the LPW program's experiment with several approaches to shorten the grant delivery process. The Commission analyzed these innovations for their applicability to other construction grant programs.

Key Findings. The conclusions reached in this report include:

- Increased paperwork and red tape in Federal construction grant programs is a manifestation of congressional and Federal agency concern over the use of public funds and the need to comply with expanding and changing policy needs.
- Some Federal agencies are willing to place increased responsibilities on potential grantees but fail to recognize the capacities of those grantees to assume such responsibilities. This requires inordinate quantities of documentation to accompany grant proposals.
- The Local Public Works Program has efficiently delivered Federal construction grant funds by relying, for the most part, on the applicant's capacity. This reliance has included assurances, architectural/engineering certification, mandatory performance schedules, simplified application forms, and an environmental impact analysis substituted for an environmental impact statement.
- Environmental impact statements can be prepared quickly and efficiently by using areawide EIS's, by incorporating environmental considerations into project planning, promoting early intergovernmental cooperation prior to EIS preparation, and by using environmental resource inventories.
- Procedures can be used to reduce paperwork while assuring implementation of Federal policies. Specific techniques for delivering funds ,such as letter of credit or a project management review waiver, could speed program implementation. Greater reliance on applicants through the use of assurances and certification acceptance could relieve

applicant and reviewer of onerous procedures, red tape and paperwork.

- Streamlining Federal construction grant programs can save taxpayers millions of dollars.

Nature and Scope of Recommendations. The report's recommendations center on agency assessment and implementation of the procedures and efficiency techniques cited above. The recommendations emphasize the delegation of greater responsibility from the Federal Government to State and local government and to contractors. The recommendations also reflect the Commission's belief that much of the superfluous paperwork in the public works area is "defensive management" on the part of the Federal Government and this burden could be reduced substantially if the Federal Government chose to trust the grant applicant.

Segmented Financial Reporting

Purpose and Scope. This report examines an emerging and controversial concept in business reporting to the Federal Government—a specific and detailed accounting by individual components or segments of a business enterprise. This departure from the customary practice of consolidated financial reporting for an entire corporate entity requires different accounting techniques and the development of new and complicated reporting systems. The report focuses on the Federal Trade Commission's Line of Business reporting program. The development of the program from the Quarterly Financial Report and the accounting and recordkeeping requirements associated with the LB program are examined.

Key Findings. The report finds that:

- Complicated and generally unavailable operational data are requested at great expense to business.
- Information requirements are poorly developed and produce information of questionable value.
- Confidentiality requirements are inconsistent, keep too much information from the public, prevent information sharing, and do not assure the confidentiality of business data.
- Poor communication between Government, industry and other interested parties prevents an accurate assessment of the value of business information programs and their costs.
- Present accounting techniques, including the use of the Standard Industrial Classification Code, are inadequate for providing the Government with useful segments of business information.

Nature and Scope of Recommendations. The report makes the following recommendations:

- An interagency task force under the auspices of the OMB and the GAO should develop improved classification sys-

tems to meet the segments of business reporting requirements of Federal agencies.

- The task force, consisting of interested Federal agencies, should work with representatives of industry and the Financial Accounting Standards Board (FASB) to develop the least burdensome segments of business reporting system.
- The FASB Statement of Accounting Principles #14 should be considered in the development of new segments of business reporting systems.
- The FTC should continue to assess and reduce the burden of LB reporting requirements as future developments in accounting standards and classification systems permit.
- Future changes to the LB program should include guidelines on the types of data entitled to confidential treatment.
- These guidelines should be developed in consultation with other agencies and interested parties and should provide the public with sufficient notice and an opportunity for comment.

Small Business Loans

Purpose and Scope. Two major complaints are explored: The Small Business Administration requires substantially more documentation and attendant paperwork than is required for a bank loan; and, cumbersome information requirements result in undue delay in the making of loans. The authority, scope, organization and operation of the Small Business Administration (SBA) are examined, and the loan application process is traced. The report analyzes specific SBA forms.

Key Findings. The policies and procedures of the SBA loan process have grown to thousands of pages of confusing rules, regulations and instructions contained in a series of "Standard Operating Procedures."

- The Business Plan and Qualifications Resume (Form 1010) is used indiscriminately and is counter to the spirit of Section 8(a) of the Small Business Administration Act.
- The Financial Information Questionnaire (Form 891) has not been cleared by OMB, and its repetitive submission for franchise loans is unnecessarily excessive.
- Several other forms—such as the Management Development Plan (933), the Plant Survey Information (183), and the Annual Report — have not been cleared by OMB.
- A proposed SBA Paperwork Management Program was never put into effect, and standardized training programs for loan officers are lacking.

Nature and Scope of Recommendations. Major recommendations of the study include the following:

- SBA should require all District Offices to use standardized instructions in the loan application.
- Form 1010 should be reviewed by OMB for simplification and elimination of duplication, and the "Statement of Cooperation" should be reviewed for its applicability and the spirit in which it is stated.
- SBA should require all personnel to adhere strictly to the forms clearance provisions of the Federal Reports Act of 1942 when requiring information from loan applications.
- The SBA should institute an agency-wide review of SBA loan procedures and should conduct a comprehensive training program for loan officers.

Social Services (Title XX)

Purpose and Scope. The historical development of social service delivery from its origins in the Social Security Act of 1935 to the passage of Title XX as an amendment to that Act is covered. Included are the evolution of services from grants to States for maternal and child welfare to a large number of federally funded services including family planning, protective and legal services, health care, community planning, etc. The growth of the program to more than $2.5 billion annually is documented.

The report focuses on Federal paperwork requirements of the Title XX program, including the need for annual comprehensive plans, publication procedures for developing the plan, application for services, eligibility determination and redetermination, appeal procedures and fiscal reports by service agencies.

Key Findings. During extensive on-site visits to States and localities, the Commission found:

- The current social service planning process, needs assessment system, and annual requirement and amendment processes are inadequate.
- Eligibility determination and redetermination processes result in delays for recipients who need services and in unnecessary paperwork and administrative costs.
- Complex reporting requirements are difficult to comply with, frequently duplicative, and have resulted in expensive data management systems by provider agencies.

Nature and Scope of Recommendations. Key recommendations in the report include the following:

- States should be encouraged to develop needs assessment programs and should be permitted to amend their comprehensive plans to respond to needs arising out of natural disasters or sudden changes in economic conditions.
- Consideration should be given to amending Title XX to provide for other than individual eligibility determinations, and for longer periods between redeterminations.

- Reporting requirements should be modified to allow for estimated, aggregated counts of persons receiving services and for annual, rather than quarterly, submissions.
- The Secretary of DHEW should review Title XX for possible conflict with the requirements of the Privacy Act of 1974.

Statistics

Purpose and Scope. The report on statistics and paperwork analyzed the structure and operation of the Federal statistical system examining the dimensions of Federal statistical activities, the agencies which sponsor them, the provisions for their coordination and the amount of paperwork which they generate. In addition, 11 key sets of Federal statistics were reviewed — what they measure, how they are used, how they are compiled, where the basic data come from, how much time is spent by non-government entities in supplying the information, and what problems are encountered in obtaining the data.

Key Findings. Major findings of this study include:

- Federal statistical activities are extensive. Some 108 Federal agencies conduct some type of statistical inquiry. Some $650 million is spent yearly by the Government on principal statistical programs.
- Statistical inquiries are not a major source of Federal paperwork. Statistical reports, as of June 30, 1976, took only 13 percent of the time spent by respondents in replying to Federal reporting forms authorized under the Federal Reports Act of 1942.
- The collection of data for long established economic and social statistics imposes, with some slight exceptions, only minimal reporting burdens.
- Rapid expansion, agency overlap, lack of standardized terminology and too little advance communication has posed serious paperwork problems in some newer Federal statistical programs.
- A strong central agency responsible for planning and coordination of statistical activities, monitoring of statistical agency performance, and providing technical assistance where needed is required.
- The present central statistical office, the Statistical Policy Division of the Office of Management and Budget, is grossly understaffed and cannot fully carry out all of the functions assigned to it.

Nature and Scope of Recommendations. In addition to recommendations dealing with specific problems, the Commission recommended:

- Increased sampling should be used in gathering data wherever possible.

- Regular review schedules should be established for major purpose statistics.
- Agencies which produce statistics should centralize and standardize data collection and storage wherever possible. Focal agencies should be established in each field to develop consolidated annual plans for data gathering and sharing, and forms approval.
- The central statistical agency's staff should be expanded to enable it to provide proper review and planning of Federal statistical programs.
- Statistical service units should be established to provide technical assistance to agencies which are essentially non-statistical in scope, to establish listings of qualified statistical contractors, and to provide the Congress and the executive branch with expert advise on statistical ramifications of pending legislation.

Taxation

Purpose and Scope. This study focuses on improvements which benefit large groups of taxpayers and can be implemented administratively without major revision of the tax laws. A general history of the Federal tax structure outlines the country's increasing dependence on income tax as a source of revenue. The individual income tax return (1040 and 1040-A) and its related schedules are investigated in detail along with issues such as Federal collection of State income tax, burdens on small employers, and taxpayer input to the development of tax forms.

Key Findings. Study findings indicate that many schedules and instructions are unnecessarily detailed and complex, and often are written at a reading comprehension level much higher than that of the average taxpayer. Filing State and local income tax returns represents a serious duplication of effort for more than 90 percent of all taxpayers, yet the Federal Government has been slow to alleviate this burden. Further, it was found that some questions on tax forms are not tax-related and that the Internal Revenue Service has not actively sought taxpayer advice during development of its forms and instructions.

Nature and Scope of Recommendations. Recommendations made by the tax study for improvements can be grouped into two major categories. There are numerous suggestions for simplification of tax forms and instructions, including such things as elimination of unnecessary data, rewriting of instructions on a reading level commensurate with that of taxpayers, and raising thresholds to exempt more taxpayers from filing complex schedules. Further, suggestions are made for increased Government action to minimize paperwork burdens on taxpayers, including revision and stepped up Government action on regulations for "piggybacking" State income taxes on the Federal return, increased publicity and encouragement
48 of taxpayers to use IRS tax computation services, and greater

efforts to obtain taxpayer opinions and viewpoints during formulation of new tax forms and instructions.

Welfare Administration Reform

Purpose and Scope. The welfare eligibility determination process is described, together with the numerous programs which comprise the existing welfare system. The history of welfare assistance, poverty in America, the impact of extensive paperwork on the poor and administrative inefficiencies in current programs are treated in detail. The lack of a coherent national income security policy is documented, as are the problems on intra/inter-agency and intergovernmental coordination.

Key Findings. A single application form is proposed as the eligibility determination document and a unified administrative process is recommended as the mechanism for comprehensive referrral. Costs, savings and reduced fraud benefits are considered. Experiments with the single application concept are described. The recommended Single Application Verifying Eligibility (SAVE) system is fully explored, including legal implications, role of States, impact on program costs, financing.

Nature and Scope of Recommendations. This study emerged with the following recommendations:

- Federal and State Governments should enact legislation to simplify the administrative process for welfare.
- The Secretary of Health, Education, and Welfare, in the legislative package for welfare reform, should propose simplification of the administrative process as a high priority item, and especially the eligibility determination process. This simplification should encompass the development of a basic set of common terms and procedures that will treat the needs of public assistance applicants and recipients uniformly and equitably. These common terms and procedures should be utilized by all Federal agencies, and State/local governments in the administration of current welfare programs or their successors.
- The Congress should enact legislation enabling the standardization of work registration and rehabilitation requirements for similar categories of public assistance recipients and programs.
- The Office of Management and Budget, working with the appropriate executive agencies, should examine the feasibility of expanding the unified administration concept, including the single application process, to a broader range of income security programs including specialized public assistance programs, unemployment and underemployment programs, retirement programs, disability compensation programs, programs for Indian and Alaskan natives, and programs for veterans.

- The congressional committee jurisdiction over the administration of income security programs should be consolidated into one committee each in the House and the Senate.

Government-wide Reports

The Clearance Process/The Federal Reports Act of 1942

Purpose and Scope. The Federal Reports Act of 1942, as amended, is the Government's primary mechanism for controlling the paperwork and information burden placed on citizens and others. This legislation authorizes a central clearance office — the Office of Management and Budget — to review and approve or reject proposed information gathering activities by Federal agencies from the public. Since 1974, GAO has been given similar (although not identical) responsibilities for the independent regulatory agencies. The clearance machinery contains structural and procedural flaws that preclude it from ever being fully successful in controlling the total paperwork burden on the American public. This study identifies short- and long-term actions, and specific steps as well as broader avenues of attack, to be set into motion simultaneously.

Key Findings. The findings and conclusions of this report are:

- The Federal Reports Act does not cover all agencies of the Federal Government; it exempts from central clearance some of the biggest paperwork agencies — such as the Internal Revenue Service and the bank supervisory agencies.
- Since 1974, GAO has been given authority for central clearance over the forms of the independent regulatory agencies. This split in jurisdiction has aggrevated an already difficult reports coordination problem, because the two central agencies (OMB and GAO) have disparate procedures and authorities.
- The clearance process comes too late in the "life cycle" of a new program to exert effective leverage on officials to modify and reduce their requirements. Beginning with the passage of new laws and early program design activities, requirements become frozen and positions entrenched and extremely difficult to change. Clearance at the end of the entire process is ineffective in trying to reduce and control paperwork requirements.
- The clearance process tends to be adversarial and slow, and does not differentiate the important from the unimportant.
- The clearance process has never been allocated sufficient resources, at either the Federal or agency level. A comprehensive file of planned and cleared reports has not yet been developed to check possible duplication, and respond to officials investigating the alternative use of existing information to preclude the re-collection of duplicative information.

Nature and Scope of Recommendations. The Commission has recommended:

- Enactment of legislation which eliminates the many existing agency exemptions from the clearance process.
- An Executive order requiring all agencies — including those agencies now exempt from the Federal Reports Act — promptly to register their information gathering plans and programs with OMB.
- Enactment of legislation ending the split jurisdiction over agency information requirements and returning to OMB central, overall management authority.
- Assigning responsibility to a single "focal" agency to coordinate the collection of information for major, Government-wide program areas where several agencies require similar information (e.g., energy, education, and so on).
- Establishment of agency units empowered to coordinate the several functions relating to paperwork and information management (e.g., computers, micrographics, statistics, records, reports, and so on) within offices responsible for general management.
- Requiring all agencies to work with teams of management personnel, including information specialists, when designing programs and determining information requirements.
- Establishing a service capability within a central management authority to assist small agencies with inadequate resources of their own to design program and information needs.
- "Licensing" agencies having clearance offices with sufficient staff and resources to clear their own information and reporting plans, according to guidelines and standards established by OMB.
- Requiring agencies and OMB to develop better measures of burden, beyond total counts of the number of forms received for action, in the pipeline, and cleared.

Confidentiality and Privacy

Purpose and Scope. This report examines Federal laws, regulations, policies, and practices that affect information disclosure. The report reviews leading court cases, traces the origin and development of the Privacy and Freedom of Information Acts, agency administration in these two acts, and the development of other confidentiality laws and practices. Confidentiality constraints on sharing of personal data, proprietary business information, statistical information, and the influence of technology are covered.

Key Findings. The basic conclusions of this report are these:

- Federal laws treating confidentiality and disclosure of information are inconsistent and confusing. Uniform Federal

standards do not exist. Revised standards are needed which distinguish, for example, among personal data about individuals, business data, national security information, and data collected for statistical/research purposes.

- Compliance machinery for enforcing Federal information laws is inadequate.
- Barriers to information sharing are imbedded in law and in administrative practices.
- The information management practices of Federal agencies which deal with confidentiality and disclosure of data are inconsistent and, at times, contradictory.
- Federal security guidelines should be tested and security standards implemented to safeguard confidential information.

Nature and Scope of Recommendations. This report urges:

- A Presidential directive (1) emphasizing public disclosure and increased inter-agency sharing of Government-held information, and (2) requiring Federal agencies to reexamine their confidentiality laws, regulations, policies, and practices and report to the President on the need for continued limitations on disclosure.
- Agency action to discontinue the granting of confidentiality pledges relating to commercial or business data unless specifically authorized by law, and to provide procedural safeguards to those who have previously submitted such information "in confidence."
- Establishment of an office to provide direction in setting standards and policies on confidentiality, disclosure, and security safeguards and in developing legislation to establish fair information practices; to coordinate information management responsibilities; and to monitor agency compliance with information laws.
- Legislation to establish clear and consistent standards for the disclosure of various categories of information collected and maintained by Federal agencies to replace and consolidate the profusion of existing inconsistent confidentiality provisions.
- Legislation to regulate the collection, management, and use of Government-held information as well as its disclosure.
- Legislation to amend the Freedom of Information Act to enlarge the scope of information available for free and open disclosure and to provide additional congressional oversight of the implementation of that Act.
- Legislation relating to specific categories of information — such as personal data about individuals and statistical data

— to strengthen confidentiality safeguards, on the one hand, and increase interagency sharing on the other.

The Federal Information Locator System

Purpose and Scope. The Commission was explicitly charged with ascertaining possible and desirable changes to "reduce the duplication of information collected by the Federal Government and by State and local governments and other collectors of information." The Association of Food Chains offered to assist the Commission and established a task force which inventoried and identified 128 Federal forms which the industry is required to furnish government. Careful examination and analysis of these forms, down to the individual question (data element) level, was made to detect duplication in data requested. Results of this duplication study indicated the need for a register or locator to the types of reports called for by the Government. This would help permanently control duplication, while at the same time the locator, as a reference tool, would help meet the lawful needs of officials for complete, accurate and timely information.

Key Findings. The study revealed a wide variety of duplicative reporting, which the Commission was able to classify into three categories: identical, similar and generic. In degree of likeness, identical duplication is the most specific but in degree of burden imposed on the public, generic duplication is far more severe. Yet, Federal policy and administrative machinery have focused narrowly on identical duplication. Three major conclusions were reached:

- The primary Government focus has been on unnecessary duplication; it must be shifted to include unnecessary differences in related and overlapping agency requirements;
- A Federal Information Locator System — a comprehensive, multi-level subject index to the Government's vast data, document and literature holdings — is required; so too is a comprehensive, authoritative Federal data element dictionary of commonly used names, terms, abbreviations, codes and symbols; and
- Structural and procedural machinery needed to control overlapping and duplicative agency information requirements goes beyond the need for a central clearance point. Such machinery must address strengthened agency information requirements planning, information and data processing standards, sharing of common data, and the use of focal or "lead" agencies to coordinate the collection and management of data needs across agency lines, and other areas.

Nature and Scope of Recommendations. The Commission recommended that a Locator System Task Force be established by the Director of the Office of Management and Budget, with the collaboration of the General Accounting Office, and the participation of several dozen key executive and congressional agencies.

Private sector participation is also stressed. Two or three major Federal program areas — such as education, energy, State and local government, procurement and financial business reporting — were recommended for study as pilot test areas so that the task could be approached incrementally, based on work already done by some agencies.

The report presents costs, a management strategy to design and implement the Locator, and examples of how it would work and be used to control duplication. Detailed technical specifications for the system are also spelled out in various appendices.

Federal/State/Local Cooperation

Purpose and Scope. This report examines the nature of the relationships between the Federal Government and State and local governments to identify actions that can be taken to reduce paperwork and red tape through improved cooperation in program operations and information interchange.

Key Findings. The concurrent jurisdictions of Federal and State Governments in domestic affairs cause overlap and duplication in information and paperwork requirements imposed on local governments and the private sector. Other findings in this study were the following:

- Federal domestic assistance programs have been developed in a haphazard and uncoordinated way. Much unnecessary paperwork stems from a lack of cross-program standardization in information requirements; reporting and recordkeeping systems; audit requirements; planning requirements and other processes and procedures associated with the transfer of funds from the Federal Government to State and local governments.
- Much of the red tape and paperwork results from the non-assistance programs mandated on State and local governments to achieve national objectives such as environmental protection, non-discrimination and civil rights, occupational safety and others.
- No effective intergovernmental management organizations exist within the Federal Government to deal with issues of concern to State and local governments.

Nature and Scope of Recommendations. Based on these findings, the Commission recommended that:

- Federal and State duplication of regulation and information requests be reduced through (1) Federal deferral to State law and procedures where State action will accomplish the purpose of Federal law, and (2) further development of cooperative information collection mechanisms to meet the information needs of both Federal and State Governments.

- The Federal Government work to eliminate unnecessary inconsistencies among Federal domestic assistance programs through such mechanisms as:
  - — broad bloc, rather than narrow categorical grants-in-aid;
  - — reform plans to establish standard administrative and financial management requirements;
  - — standardized audit guidelines;
  - — consolidated plan documents and common data packages for information required for federally-mandated plans.
- The Federal Government assign either a single agency or a cognizant agency full authority over Federal non-assistance program requirements to achieve specific goals such as environmental protection and non-discrimination.
- Organizational units be established, and consultation procedures developed, within the Executive Office of the President and in all departments and agencies to insure effective State and local representation in the development of rules and regulations for domestic assistance programs and in the establishment of inter-governmental management procedures.

Handbooks for Programs Managers and Information Specialists

The *Reference Manual* is informal, simple in structure, and written in terms readily understood and appreciated by both managers and specialists. But in view of the different interests and responsibilities of these groups, two volumes were prepared. Volume 1, Controlling Paperwork: "A Policy Manual for Managers," applies primarily to agency management levels. Volume 2 is essentially a technical compendium, designed primarily for information specialists and technicians, including computer administrators, records officials, reports officials, librarians and heads of information centers, directors of clearing-houses and documentation centers, and so on.

Ultimately, the objective of the *Reference Manual* is the same as the objective of all of the other Commission activities and studies — to identify ways in which Government can gather the information it needs, and satisfy its other procedural, legal and administrative requirements, at a minimum cost to all parties concerned.

History of What the Federal Government Has Tried to Do About Paperwork

This report traces the history of efforts to control paperwork which preceded the work of the Commission. It reviews the development of statistical coordination, central clearance of Government information requests, and the management of archives, records and automatic data processing equipment. The report also discusses

recent Presidential and legislative initiatives in paperwork reduction. It draws heavily from the work of the Hoover and other temporary commissions, the General Accounting Office, and a variety of congressional committee hearings and reports.

Information Resources Management

Purpose and Scope. The purpose of this study was to suggest specific approaches, machinery, tools and technologies that could help officials plan, program, budget, account for, evaluate and control their information resources more effectively and efficiently.

Key Findings. Major findings of this report are that:

- The absence of a body of doctrine covering the effective and efficient management of information resources has fostered overlap and duplication in both the administrative controls over, and organizational structures which manage information gathering, processing and dissemination. Government, thus, is insensitive to the burdens it places on citizens, businesses and others because it collects duplicative information.
- We can no longer look upon information as a "free good". Government must come to regard the data and information it collects as a costly asset which needs to be managed just as it manages its financial, material, physical and human resources. Moreover, Government must distinguish between "good" and "bad" paperwork and information. It collects too much information which is not used, and much of what is "used" is of little value in achieving positive results to improve citizen well-being.
- Too much Government paperwork machinery concentrates on controls over physical documents — forms, reports and records. Attention must be shifted to the data content of documents.
- Government's information-related programs and activities are dispersed, fragmented, compartmentalized and are not synchronized to the common goal of reducing the paperwork burden on the public while at the same time meeting the lawful needs of officials for reliable information. These activities must be consolidated and brought into harmony with one another.
- Significant structural and procedural flaws exist in the Government's machinery to control paperwork and information. For the short term, these flaws (e.g., split jurisdiction of the central clearance authority) should be remedied through amendments. For the long term, comprehensive legislative, structural and policy reform is needed.

Nature and Scope of Recommendations. In this report, the Commission recommended:

- A congressional and Presidential commitment to establish Information Resources Management on a Government-wide basis.
- Consolidation of major paperwork and information policy oversight functions in a central management unit.
- Consolidation of major paperwork and information control operating programs in a central agency.
- Development and installation of strengthened program design, analysis and evaluation machinery.
- Development of information planning, budgeting and accounting guidelines to assist agencies.
- Development of an "information object classification" scheme that would include both internal Government-incurred costs as well as costs to respondents and third parties.
- Development of strengthened audit and evaluation guidelines and standards for information.
- Development of new career, education, training and promotion opportunities and programs for information managers and specialists.
- Pursuit of a small, but carefully selected number of research programs to seek less paperwork-intensive ways of implementing programs.

Information Value/Burden Assessment

Purpose and Scope. This report examines the values to be derived from, and the burdens imposed by Federal paperwork. Its aim is to identify how best to consider value and burden and use this information in making judgments that will reduce the paperwork and red tape burden on the American public.

Key Findings. This investigation revealed that:

- There are many simple, positive steps that can be taken to cut red tape; some maximize values, others minimize burdens, and some do both. Most of the actions that can be taken are not complex, nor do they require extraordinary technical skills. In most cases, they are straightforward and require only common sense.
- There are three main classes of burden: economic, psychological and cumulative. Existing guidance on burden identification and measurement is neither accurate nor useful.
- Information value must be measured by how it contributes to achieving citizens well-being. As a general rule, the information which supports the direct operation of a program is the most valuable, as it is directly related to achieving program goals. Information for planning, auditing, research and evaluation tends to have lesser value, because it supports

the program and does not itself lead to an improvement in the general welfare.

- When information resources are heavily weighted in favor of those activities which do not produce direct value for a program, it is an indication of unnecessary burdens.
- There are a number of alternative administrative practices and processes currently in use in Federal programs which appear more or less "information-intensive." However, little reliable information now exists about these alternatives and the advantages and disadvantages associated with each.

Nature and Scope of Recommendations. In this report, the Commission proposed that:

- The Office of Management and Budget provide for further research on the nature of burdens imposed by Federal paperwork, with the goal of establishing measurements of burden for use by those developing information requirements.
- Each Federal department and agency undertake "information use" audits to determine whether unnecessary information is being collected.
- The Office of Management and Budget provide for development of a catalog of administrative practices, with information concerning the advantages and disadvantages of each.
- Each Federal department and agency undertake periodic, zero-base reporting reviews of its programs as a means to cut paperwork consistent with effective administrative of the program.

Ombudsmen: Responding to Citizens' Problems

Purpose and Scope. The Commission's Ombudsmen unit and its ways of doing business were designed deliberately to meet three objectives:

- Solving paperwork problems brought to its attention;
- Helping agencies develop management practices and administrative procedures which better serve people; and
- Improving understanding between citizens and their Government.

The Commission has shown that ombudsmen can successfully fulfull their mission of acting promptly to reduce unnecessary paperwork and red tape burdening the public. They have helped 3,500 individuals and groups with problems and then taken steps to change how programs operate so the problems were resolved for all. Ombudsmen have made over 150 recommendations for improved administrative practices to 32 Federal agencies. The 90 recommendations accepted to date will save $70 million annually when implemented.

Key Findings. Comments from the public, studies, and the Commission's experience show that:

- The Federal Government should be open to the complaints and suggestions of its citizens. Only in this way can we fully understand the impact of Federal policies and programs on individuals, and more effectively deliver services to meet the public's needs.
- Citizen problems with Government are still growing. Agencies are not consistent or effective in handling inter-agency problems. The cause of problems are not always addressed and corrected.
- There is a clear need for coordinating the way Federal agencies respond to citizens' complaints and suggestions.

Nature and Scope of Recommendations. The key recommendations are the following:

- The President should encourage executive branch agencies to establish effective complaint-handling functions at the agency-head level.
- A central coordinative function should be established as a focal point for Government complaint-handling efforts; (1) to receive complaints from those who do not know where to direct their problems; (2) to address interagency issues so that broad program changes could be suggested to remove the cause of the complaint, and (3) to coordinate, assist and monitor agency complaint-handling functions.
  - — The General Services Administration should expand the Federal Information Centers, including resources to publicize adequately this service.
  - — The central coordinative office should report to the Congress and the President annually on the complaints and suggestions received and their disposition.

Records/Paperwork Management

Purpose and Scope. This study attempted to identify what steps could be taken to strengthen the Federal Government's records mangement program, with particular emphasis on steps that would alleviate the burden of recordkeeping requirements imposed on citizens, businesses and others by the Federal Government. The records management programs of several major Federal departments and agencies were randomly selected, and extensive interviews were conducted with officials at both agency headquarters level and in the field "from the Assistant Secretary to the mail room clerk." Key officials of the National Archives and Records Service (NARS) were also interviewed because NARS is responsible for overall management and administration of the Federal Government's records management program.

Key Findings. Study findings included the following:

- Data management and records management activities are widely dispersed. They should be coordinated, and authorities clarified and strengthened.
- Efforts to reduce the paperwork burden on the public must focus on management of the substantive content of documents as well as on the physical documents themselves.
- Information Resources Management must be adopted as Governmental policy and translated into operational guidance to help agencies improve their planning, programming, budgeting, accounting, control, evaluation and audit of information resources (computers, printing and reprographic equipment, microfilm, and so on.)
- The National Archives and Records Service's reimbursable technical assistance program may constrain officials in terms of their flexibility to provide assistance to agencies in the most effective and efficient manner.
- Current training programs in the records management area are neither particularly effective nor up-to-date.
- No agency is currently responsible for reviewing records retention requirements imposed by Federal agencies upon State and local governments and private industry.

Nature and Scope of Recommendations. In general, the Government's overall records management program needs to be turned around, modernized and broadened, so that its focus is not exclusively on internal Government information needs, but equally in how to minimize recordkeeping burdens on the American public. In that regard, the Federal Records Act of 1950, as amended (the basic legislation in this area) should be further amended. Additional recommendations include:

- The introduction of the policy of Information Resources Management at the Federal level with a view to shifting the focus of paperwork and information management from what has been a preoccupation with physical documents and pieces of paper to substantiate data and information.
- The General Services Administration and/or the General Accounting Office should undertake a thorough study of the Reimbursable Technical Assistance program of NARS, in the light of the Commission's findings of possible distractions and dissipations of energies, priorities and resources.
- Records management program performance standards should be set by the central management authority which the Commission recommends for overall coordination responsibility for paperwork and information resources management.
- NARS, the Civil Service Commission, and other responsible agencies should jointly update records management workshops. New handbooks and guides should be issued

covering word processing, micrographics, reports management, information resources management (i.e., public-use, interagency and internal), and other modern information handling approaches to reducing the paperwork burden on citizens.

- NARS should be given authority to monitor and advise Federal agencies on record retention schedules for State and local governments, industry and the general public.

The Role of Congress

Purpose and Scope. This report highlights problems inherent in the legislative process which contribute to the creation of paperwork and the possibilities for its limitation.

In this report, the Commission's concern is not in assessing how the blame should be apportioned between the executive and legislative branches, but in judging the possibilities for congressional action and self-discipline to reduce and make more manageable the paperwork burden.

Key Findings. Legislation is at the root of paperwork. Consequently, paperwork reform requires the active support and participation of the Congress. Specifically, this report found:

- The requirement for a paperwork assessment of new legislation is a useful technique.
- Information for paperwork assessments can be obtained from Federal agencies through comments on legislation, hearing testimony, etc.
- Congressional oversight does not adequately include oversight of paperwork activities.
- Congressional support agencies, particularly the General Accounting Office, have resources to assist Congress in paperwork-related issues.

Nature and Scope of Recommendations. The Commission has proposed that:

- Congress provide, through the rules of each House, for paperwork assessments to be included in legislative reports.
- Committees of Congress require executive agencies specifically to address paperwork impacts of proposed legislation.
- In performing oversight, each congressional committee particularly be concerned with paperwork activities of executive agencies.
- The Government Operations Committee of the House and the Governmental Affairs Committee of the Senate take lead responsibility for paperwork concerns in the Congress.
- Appropriations Committees in each House require agencies to submit summaries of expenditures for information gathering and estimates of external paperwork burdens.

- The Congress and the President should adopt procedures to expedite consideration of administrative changes in statutes.
- Congressional support agencies develop a capability for Federal paperwork evaluation, consider external paperwork costs in reviewing total program costs, and review Congressional reporting requirements periodically.

Rulemaking

Purpose and Scope. In this report, the merits of public participation in formal and informal rulemaking are reviewed. Internal agency rulemaking procedures, including types of drafting personnel, agency oversight, liaison with other agencies and with the Congress are examined, as well as standards of judicial review when rules are challenged in court. The publication procedures and requirements of the *Federal Register* are examined to improve its role as a primary means of communication between Federal agencies and those affected by Government regulations. Congressional review of agency rulemaking and various types of legislative controls, including the "Congressional veto" power are outlined; and the frequency with which automatic review by the Congress should occur is examined. A case study on regulation of the manufacture and distribution of vinyl chloride is appended to demonstrate the cost of rulemaking in a specific area.

Key Findings. Despite the crucial role played by agency rules and regulations, the Commission found:

- No central management unit exists for reviewing agency rules for duplication, statutory conflict, and comprehensibility; nor do individual agencies and departments have such units.
- At present, no Federal procedure allows unanticipated administrative problems appearing in newly enacted statutes to be corrected expeditiously.
- Legislation, rules and regulations are often written in language which is not easily comprehensible to those who must comply.
- Greater public participation should be obtained throughout the rulemaking process.
- Changes in the *Federal Register* concerning indexing, routine notices, language simplication, and computerization need to be made.

Nature and Scope of Recommendations. The key recommendations urged by the Commission are the following:

- The President should assign to a central management policy office the responsibility for coordinating and evaluating regulations for duplication, clarity, and statutory conflict.

- Agencies or departments should establish offices of regulatory review at the agency head level to provide for management planning and review of regulations.
- Agencies should provide trained professional draftsmen to work with program specialists in drafting legislation and should use readability standards.
- Agencies should maintain a record in each informal rulemaking which reflects the major decisions behind the rule.
- The *Federal Register* should develop standards for clarity in published regulations.
- Congress should appropriate funds necessary to complete the electronic printing and retrieval system of the *Federal Register*.
- Congress and the Administration should evaluate the efficiency, effectiveness and responsiveness of agency programs and regulations as part of a sunset review procedure, including zero-based budgeting.

Service Management

Purpose and Scope. This report distills the specific lessons learned from the other reports of the Commission into management principles that can be used by decisionmakers to anticipate and avoid future paperwork problems and burdens. It summarizes the need for change; identifies the necessary components of a new management philosophy of government called "Service Management;" and then suggests how that new philosophy can be developed further and implemented.

Key Findings. Paperwork and red tape are seen as the predictable consequences of current management practices. Current management systems *lack:*

- Informed public participation in designing and organizing programs;
- Consideration of alternative ways to operate programs;
- Explicit cost accounting of costs to others; and
- Policy control over costs imposed on others.

Service Management synthesizes the best of current management philosophies and adds two key elements necessary to address the identified areas of current management deficiency. First, policymakers must treat information as a resource and manage its costs and operations as carefully as they do other more tangible resources such as dollars, personnel and property. Second, policymakers must consider alternative ways of operating programs and choose that alternative which most equitably distributes the value sand burdens for each program upon all parties in society affected by that program. In effect, they must apply an expanded cost/benefit analysis to the non-Federal impacts of the actions.

Nature and Scope of Recommendations. Based upon these findings, the Commission has recommended that the principles of Service Management be adopted. The report discusses specific starting points for each of the following parties to begin the process of fully developing and implementing Service Management:

- The President,
- Members of the Congress,
- The Office of Management and Budget,
- Executive branch agencies, and
- Members of the private sector (individual citizens, businesses, and public interest groups).

Impact Studies

Federal Paperwork and Farmers

The impact of Federal paperwork in terms of hours, dollar estimates and other reporting problems is treated in five separate sections:

- Section I covers the number of farms (2,276,403), the types of business organization under which they operate, and the contribution of agriculture to the total economy of the United States, including exports and their role in balance of trade. Also included is a breakdown of paperwork costs by agency to the farmer, estimated at $354 million annually.
- Section II outlines the legislative framework and history that has caused the development of a sophisticated data gathering system involving all phases of agriculture production and marketing.
- Section III shows the cost of filing income tax returns based on volume of sales per farm. The annual cost is estimated at $277 million annually.
- Section IV discusses the two major agricultural reporting agencies — the Bureau of the Census and the Statistical Reporting Service. LANDSAT, an experimental data-gathering satellite, is also discussed.
- Section V outlines agricultural information and analytical systems, and counts the total numbers of forms, responses, aggregate person-hours, and dollar impact on farmers.

Federal Paperwork and Individuals

The purpose of this study was to collect and analyze data on which groups of individuals confront the greatest paperwork-related burden and exactly what form this burden takes.

Individuals complete well over 500 million Federal forms each year on matters related to their personal lives. Burdens often fall hardest on those least able to bear them: the old, the sick, and the poor receiving Federal assistance of one sort or another.

Paperwork burdens on individuals vary and are not always easily measured. These burdens fall into three major categories: time, money, and psychological costs. Time is spent:

- Completing forms,
- Going from office to office supplying identical or similar information to each,
- Waiting in line, and
- Searching for supporting documents.

Money is spent on:

- Leave from work,
- Babysitters,
- Transportation (taxis, buses, gasoline),
- Notaries,
- Professional services (tax preparers, medical examinations),
- Document reproduction fees,
- Telephones, and
- Postage.

More difficult to measure, and perhaps more acute, are psychological costs such as: anxiety, frustration, depression, anger, and helplessness. What is needed, therefore, is a methodology for assessing paperwork burden prior to implementing a given form. This approach would introduce paperwork considerations into the mainstream of agency decision making. The mechanics of a paperwork assessment methodology could vary from agency to agency but might be premised on a detailed understanding of three major factors: (1) characteristics of the programs; (2) characteristics of the forms; (3) characteristics of the respondents.

Federal Paperwork and Organized Labor

This report reviews the principal forms and reports which must be completed by virtually all labor organizations in response to Federal information requests. Input to the study came from a cross section of organized labor as well as the Department of Labor. Cooperating in the study were public and private sector unions, federations and locals, craft and industrial unions. The costs of complying with Federal requests for information is conservatively estimated to be $75 million, involving 7.5 million work-hours annually. The character and impact of this burden varies with union size.

Major findings of types of burdens experienced include:

- For small unions
  - — lack of trained staff;
  - — overly complex requirements
  - — requirements are too complex; and

— duplication of requests.

- For large unions
  - — pension plan problems;
  - — paperwork associated with lobbying;
  - — heavy labor-management reporting costs.

Federal Paperwork and Small and Large Business

The Government needs information from the business community to plan and manage Federal programs. However, businesses rightly complain that more information than necessary is collected. As a result, they are drowning in a sea of paperwork and red tape. Some smaller firms even avoid doing business with Government because the paperwork is too costly.

Government measures its own operating costs, but has not tried to understand the costs its requirements impose on the private sector. The Commission on Federal Paperwork, with the cooperation of the business community, has estimated these Government-imposed costs as a background for its recommendations.

Major findings include:

- American business spends $25 to $32 billion each year on Federal paperwork.
- The 10,000 largest firms spend $10 to $12 billion, or an average of over $1,000,000 each.
- 5,000,000 small businesses spend $15 to $20 billion, or an average of over $3,000 each.
- Small businesses are relatively harder hit by Federal information requirements than larger firms and often lack the necessary expertise to comply.
- Federal program can be administered to both keep down paperwork costs and improve their effectiveness.
- The concept of "Service Management" should be broadly accepted by agencies — so Government focuses on delivering services without unduly burdening businesses and taxpayers.

Federal Paperwork and State and Local Government

Six municipalities and nine counties collected data on the paperwork impact of certain Federal programs. State impact data were developed through an aggregate approach which distinguished between core and non-core costs. Cost accounting was described as an approach to measurement of Federal paperwork at the State level, using the budget of California as an example.

The report was prepared for the Commission by the Academy for Contemporary Problems, a public policy research center operated

by the National Governors' Conference, National Conference of State Legislatures, Council of State Governments, National Association of Counties, International City Management Association, National League of Cities and U.S. Conference of Mayors.

Recommendations of the Academy for ameliorating paperwork are included.

Appendix C

Public Law 93-556, An Act To establish a Commission on Federal Paperwork

Public Law 93-556
93rd Congress, H. R. 16424
December 27, 1974

An Act

To establish a Commission on Federal Paperwork.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Commission on Federal Paperwork. Establishment.

DECLARATION OF PURPOSE

SECTION 1. (a) The Congress hereby finds that Federal information reporting requirements have placed an unprecedented paperwork burden upon private citizens, recipients of Federal assistance, businesses, governmental contractors, and State and local governments. 44 USC 3501 note.

(b) The Congress hereby affirms that it is the policy of the Federal Government to minimize the information reporting burden, consistent with its needs for information to set policy and operate its lawful programs.

(c) The Congress hereby determines that a renewed effort is required to assure that this policy is fully implemented and that it is necessary to reexamine the policies and procedures of the Federal Government which have an impact on the paperwork burden for the purpose of ascertaining what changes are necessary and desirable in its information policies and practices.

ESTABLISHMENT OF THE COMMISSION

SEC. 2. To accomplish the purpose set forth in the first section of this Act, there is hereby established a Commission on Federal Paperwork (hereinafter referred to as the "Commission"). 44 USC 3501 note.

FUNCTIONS OF THE COMMISSION

SEC. 3. (a) The Commission shall study and investigate statutes, policies, rules, regulations, procedures, and practices of the Federal Government relating to information gathering, processing, and dissemination, and the management and control of these information activities. The Commission shall consider— 44 USC 3501 note.

(1) the nature and extent of current Federal requirements for information from other public and private entities;

(2) the effect of existing statutes on the information requirements of the Federal Government and authorities of existing Federal agencies to collect information;

(3) the nature and extent of management and control over the determination of Federal information needs and the choice of information gathering, processing, and dissemination methods;

(4) the nature and extent to which Federal agencies cooperate with State and local governments and private agencies in collecting, processing, and disseminating information;

(5) the procedures used and the extent to which considerations of economy and efficiency impact upon Federal information activities, particularly as these matters relate to costs burdening the Federal Government and providers of information;

(6) the ways in which policies and practices relating to the maintenance of confidentiality of information impact upon Federal information activities; and

(7) such other matters as the Commission may decide affect Federal reporting requirements.

(b) The Commission shall ascertain what changes are possible and desirable in existing statutes, policies, rules, regulations, procedures, and practices relating to Federal information activities in order to— 69

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(1) assure that necessary information is made available to Federal officials and those acting on behalf of Federal officials;

(2) minimize the burden imposed by Federal reporting requirements on private citizens, recipients of Federal assistance, businesses, governmental contractors, and State and local governments;

(3) guarantee appropriate standards of confidentiality for information held by private citizens or the Federal Government, and the release thereof;

(4) provide that information held by the Federal Government is processed and disseminated to maximize its usefulness to all Federal agencies and the public;

(5) reduce the duplication of information collected by the Federal Government and by State and local governments and other collectors of information; and

(6) reduce the costs of Federal paperwork.

Final report to Congress and President.

(c) The Commission shall make a final report to the Congress and the President within two years of the date of the first meeting of the Commission. The final report shall contain a review of its findings and its recommendations for changes in statutes, policies, rules, regulations, procedures and practices. In the event Congress is not in session at the end of such two-year period, the final report shall be submitted to the Clerk of the House and the Secretary of the Senate. The Commission may make such interim reports and recommendations as it deems advisable.

Interim reports and recommendations.

(d) Upon submission of the Commission's final report, the Office of Management and Budget, in coordination with the executive agencies, shall take action to (1) formulate the views of the executive agencies on the recommendations of the Commission; (2) to the extent practicable within the limits of their authority and resources, carry out recommendations of the Commission in which they concur; and (3) propose legislation needed to carry out or to provide authority to carry out other recommendations of the Commission in which they concur. At least once every six months, the Office of Management and Budget shall report to the Congress and the President on the status of action taken or to be taken as provided herein. A final report shall be submitted within two years.

Report to Congress and President.

MEMBERSHIP OF THE COMMISSION

44 USC 3501 note.

SEC. 4. (a) The Commission shall be composed of fourteen members, as follows:

(1) two Members of the Senate (who shall not be members of the same political party) appointed by the President of the Senate;

(2) two Members of the House of Representatives (who shall not be members of the same political party) appointed by the Speaker of the House of Representatives;

(3) the Director of the Office of Management and Budget and one other official or employee of the executive branch of the Federal Government appointed by the President of the United States;

(4) the Comptroller General of the United States;

(5) two from among officials of State and local governments (who shall not be members of the same political party) appointed by the President of the United States; and

(6) five from among persons in the private sector, including small business, labor, and other interested groups (no more than three of whom shall be of the same political party), appointed by the President of the United States.

(b) The Commission shall select a Chairman and a Vice Chairman from among its members.

(c) Seven members of the Commission shall constitute a quorum.

(d) Any vacancies in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 5. (a) Except as provided in subsection (b), members of the Commission shall each receive as compensation the daily equivalent of the annual rate of basic pay in effect for grade GS-18 for each day (including travel time) during which they are engaged in the actual performance of duties vested in the Commission. 44 USC 3501 note. 5 USC 5332 note.

(b) Members of the Commission who are Members of Congress or who are full-time officers or employees of the United States shall receive no additional compensation for their service on the Commission.

(c) While away from their homes or regular places of business in the performance of service for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5 of the United States Code. Travel expenses.

POWERS OF THE COMMISSION

SEC. 6. (a) The Commission, or at its direction, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings, sit and act at such times and places, take such testimony, receive such evidence and administer such oaths, as the Commission or such subcommittee or member may deem advisable. Such attendance of witnesses and the production of such evidence may be required from any place within the United States at any designated place of hearing within the United States. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or before such subcommittee or member. Hearings. 44 USC 3501 note.

(b)(1) The Commission may require by subpenas the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers and documents as the Commission may deem advisable. Subpenas may be issued under the signature of the Chairman or Vice Chairman and may be served by any person designated by the Chairman or Vice Chairman. The subpenas of the Commission shall be served in a manner provided for subpenas issued by a United States district court under the Federal Rules of Civil Procedure for the United States district courts. Subpena power. 28 USC app.

(2) If a person issued a subpena under paragraph (1) is guilty of contumacy or refuses to obey such subpena, any district court of the United States within the judicial district within which the hearing is conducted or within the judicial district within which such person is found or resides or transacts business may, upon application made by the Attorney General of the United States, order such person to appear before the Commission or a subcommittee or member thereof, to produce evidence or to give testimony touching the matter under inquiry. Any failure of any such person to obey any such order of the court may be punished by such court as a contempt thereof. Enforcement and punishment.

(3) Notwithstanding paragraphs (1) and (2), a person shall be excused from testifying or from producing such books, records, correspondence, memoranda, papers or documents or other evidence in obedience to a subpena if such person states in writing to the court ordering his attendance and testimony that the required testimony or Exceptions.

evidence may tend to incriminate him or subject him to a criminal penalty.

Compensation.

(c) The Commission may appoint and fix the compensation of such personnel as it deems advisable without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and such personnel may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at a rate not to exceed the maximum rate authorized by the General Schedule. In addition, the Commission may procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay in effect for the maximum rate authorized by the General Schedule.

5 USC 101 et seq. 5 USC 5101, 5331.

Contract authority.

(d) The Commission is authorized to negotiate and enter into contracts with private organizations and educational institutions to carry out such studies and prepare such reports as the Commission determines are necessary in order to carry out its duties.

COOPERATION WITH FEDERAL AGENCIES

44 USC 3501 note.

SEC. 7. (a) Each department, agency, and instrumentality of the Federal Government is authorized and directed to furnish to the Commission, upon request made by the Chairman, such data, reports, and other information not otherwise prohibited by law as the Commission deems necessary to carry out its functions under this Act.

(b) The head of each department or agency of the Federal Government is authorized to provide to the Commission such services as the Commission requests on such basis, reimbursable or otherwise, as may be agreed between the department or agency and the Chairman or Vice Chairman of the Commission. All such requests shall be made by the Chairman or Vice Chairman of the Commission.

TERMINATION OF THE COMMISSION

44 USC 3501 note.

SEC. 8. One hundred and twenty days after the submission of the final report provided for in section 3 of this Act, the Commission shall cease to exist.

AUTHORIZATION OF APPROPRIATIONS

44 USC 3501 note.

SEC. 9. There are hereby authorized to be appropriated to the Commission such sums as may be necessary to carry out the provisions of this Act.

Approved December 27, 1974.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 93-1395 (Comm. on Government Operations).
SENATE REPORT No. 93-1323 (Comm. on Government Operations).
CONGRESSIONAL RECORD, Vol. 120 (1974):
Oct. 7, considered and passed House.
Dec. 12, considered and passed Senate.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 11, No. 1:
Dec. 27, Presidential statement.

Directors of Commission Studies

David Allen, Consumer Credit Protection
Thomas Antone, Health Programs
Richard Butt, Pension Reform
Ned Cronin, Environmental Impact Statements
William Divine, Impact Studies
Ernest Griffith, Role of Congress
Murray Haber, Records and Paperwork Management
Howard Holcomb, Education
Forest W. Horton, Jr., Information Value/Burden Assessment; Information Resources Management
Arthur Keeffe, Rulemaking
Murray Kramer, Small Business Loans
Edward Lewis, Taxation
Adolph Lurie, Segmented Financial Reporting
Alan Magazine, Federal, State and Local Cooperation
Gerald Mylroie, Public Works
Frank Render, Equal Employment Opportunity
Alain Roman, Welfare Administration Reform; Employment and Training Programs
Brooks Romedy, Procurement
Frank Stokes, Ombudsman
Francine Temko, Confidentiality and Privacy
George Vavoulis, Housing
George Wakefield, Energy
Leo Werts, Occupational Safety and Health
Aryness Wickens, Statistics
Vernon Wingert, Social Services

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